

Fred D. Manning

Bill J.P. Coombs
14th Sept 1934

The whaling and sealing industries of Van Diemen's Land are of great importance in the history of the island. The whaling industry, which was introduced by the Dutch in 1624, was the main source of income for the island for many years. The sealing industry, which was introduced by the British in 1797, was also of great importance. The whaling industry was based on the coast of Van Diemen's Land, and the sealing industry was based on the coast of New South Wales. The whaling industry was the main source of income for the island for many years, and the sealing industry was also of great importance. The whaling industry was based on the coast of Van Diemen's Land, and the sealing industry was based on the coast of New South Wales.

AN ACCOUNT
OF

THE WHALING AND SEALING INDUSTRIES

OF

VAN DIEMEN'S LAND.

TO 1850.

Leonard Charles

by L.C. Murray., B.A.

(Thesis submitted in accordance with University
Research Scholarship, 1927.)

In the early days of the whaling and sealing industries of Van Diemen's Land, the whaling industry was the main source of income for the island. The whaling industry was based on the coast of Van Diemen's Land, and the sealing industry was based on the coast of New South Wales. The whaling industry was the main source of income for the island for many years, and the sealing industry was also of great importance. The whaling industry was based on the coast of Van Diemen's Land, and the sealing industry was based on the coast of New South Wales.

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Sped D. Manning
D. P. C. 1846
Bob Marney & his boats crew

Now come Kind friends, I pray, draw near,
And those few lines you soon shall hear,
And those few lines I will maintain,
Concerning Marney and his boats crew.

It was in the Grecian brig, Oh that brig of fame,
In which my brother sailed on the main,
He was outward bound on a tedious route,
To find out where those sperm whale do be,
And to lower away in such a sea,
It was more than any man would do,
With heart undaunted and courage too.

There was Captain Gibson of Hobart town,
And Captain Chamberlain of high renown,
And captain Young and many more,
As long been cruising on Mc Quarrie shore.

Now we sailed east and we sailed west,
We sailed to each place we thought best,
No news nor tidings could we hear,
Concerning Marney or his boats gear.

In Research Bay where those black whales blow,
The fate of Marney, there's no one knows,
He's gone, he's gone like many a more.

When first I came to Hobart town where,
I met a maiden in deep deplore,
She was sobbing, sighing, crying pity me.

I have lost my brother no more to see,
She was sobbing, sighing, ~~rejoicing~~ crying pity me,
I have lost my brother poor Bob Marney.

With Compliments
from
Robert Cracknell

AN ACCOUNT OF THE WHALING AND SEALING INDUSTRIES OF VAN DIEMEN'S LAND TO 1850.

The whaling industry, which became so important in the later history of Van Diemen's Land, was closely connected with the first settlement. When the "Porpoise" was unable to sail to the Derwent with the first contingent, her place was filled by the "Albion", a British South Sea whaler. Whaling captains regarded their business seriously, and Captain Ebor Bunker was no exception. If whales showed up on the way the establishment of His Majesty's Colony would have to wait until the more important business was disposed of. Governor King drew up a memorandum for the guidance of Lieutenant Bowen, and in it he stated:- "If boats are put off to catch fish every convict must be handcuffed and confined below until the boats return."

H.R.A.
S. III
V. I.
P. 193

Whales were sighted. A few days after the "Albion" and the "Lady Nelson" left Sydney rough weather gave place to calm, and Bunker was able to kill three sperm whales.

From the formation of the settlement, Bowen had much trouble with his prisoners, among whom were many desperate characters. One night, owing to bad weather, it was not possible to bring in the commandant's boat up to its proper landing-place and secure it. Seven of the convicts thought this an excellent opportunity for escape. First they borrowed a gun from one of the free settlers, pretending they were going to hunt kangaroo. Then, safe from pursuit, they made for the Straits, already the home of many desperadoes.

Duce, the ringleader, had possession of the gun, and was able to keep command. They sailed along the coast, subsisting chiefly on shellfish. Soon, owing to their confinement in a boat, they began to quarrel fiercely among themselves. Smith endeavoured to supplant Duce as leader, with fatal consequences to himself. They came to a small harbour, and Smith was sent to collect water in a mug. As soon as he was out of sight, Duce ordered the others to maroon him. They refused to desert their comrade until Duce threatened them with the gun.

H.R.A.
S. III.
V. I.
P. 228 etc.

In the Straits they killed eight seals and made a cover for their boat from the skins. Eventually they reached Cape Barren Island and fell in with a gang of sealers who provided them with food. In return, the prisoners stole more than sixty skins, but, before they could make their escape, the sealer discovered the theft and overpowered them. The convicts were marooned on Penguin Island, though two of them (Mullens and Harris) were later allowed to join the gang.

Bowen's task was rendered doubly difficult by the bad conduct of his soldiers, one of whom was caught pilfering the stores. Not being able to constitute a court-martial, Bowen welcomed the appearance of the "Ferret," a whaler, in the Derwent. He left his post and sailed to Sydney in her, taking the offender with him for trial.

Meanwhile Lieutenant-Colonel Collins had left England to form a convict settlement at Port Phillip. When he reached Rio de Janeiro, he found the "Britannia", a South Sea whaler, about to proceed on a voyage which would include Sydney. Collins thought this a splendid opportunity to acquaint Governor King with the progress of his voyage. The "Britannia", by the way, was already connected with Australian history. In 1791, she sailed to Sydney as a convict transport. The master declared at that time that he had seen more sperm whales between the South Cape of Van Diemen's Land and Port Jackson than he had met during six years' whaling off the coast of Brazil. His news created an immediate interest. Several ships then in harbour went after the whales but, owing to stormy weather, they did not

H.R.A.
S. I.
V. I.
P. 303.

meet with much success. Yet whaling in those water assumed an importance that increased as the news spread abroad.

Lieutenant-Colonel Collins and his party arrived at Port Phillip on October 9, 1903. Governor King had been greatly in favour of making a settlement there. He had heard of the many seals and sea-elephants frequenting Bass Strait, and he believed a settlement there would be in the best interests of the sealing industry.

There had been several sailing ships in Australian waters as early as 1791. On November 19 of that year, Governor Phillip wrote the following account:- "The "Mary Ann" and "Matilda" have likewise returned to this harbour, the former on having her coppers washed down. These ships had run to the southward in search of seals where they met with a heavy gale of wind and did not see any fish".

Sealing in Bass Strait itself began in a romantic fashion. Towards the end of 1796 the barque, "Sydney Cove", with an assorted cargo, including a supply of the Bengal rum which appealed to much to the palates of the early settler, left Calcutta for Port Jackson. As Bass Strait was still undiscovered, and the idea of navigation through Torres Strait was not then entertained, the vessel took the ordinary route round the south coast of Van Diemen's Land.

As she made her way along the east coast of the island she sprang a leak and was in imminent danger of sinking. By dint of toiling unceasingly at the pumps, the crew managed to keep her afloat for some time, but eventually they saw there was no chance of reaching Port Jackson in such a crippled condition. To the west they sighted land which afterwards proved to be the Furneaux Group at the eastern end of Bass Strait. Captain Hamilton and his crew, recognising their last hope of safety, ran the barque towards the group and managed to beach her on a sheltered island which, out of gratitude for their deliverance, they named Preservation Isle. In later years this small island became remarkably well known to those who frequented the Straits, and more about it will be told hereafter.

The "Sydney Cove" had been beached in a sheltered inlet, her provisions had been saved, and thus there was no immediate prospect of starvation especially as the island was the home of countless mutton birds. However it was felt that word should be sent to Sydney of their misfortune. The crew consisted of forty seven men, mostly Lascars, and of these seventeen set out in the long boat, under the command of Mr. Clarke, the supercargo, to sail for Port Jackson. Ill fortune continued to dog them and stormy weather almost swamped their overladen boat, and it was necessary to beach her at Point Hicks. Then began the arduous journey overland to Port Jackson, four hundred miles away according to the route they had to follow. At length three survivors were picked up by fishermen near Botany Bay; the others had succumbed to the perils and the hardships of that terrible journey.

No time was lost in despatching the colonial-built schooner, the "Francis" to the rescue of Captain Hamilton and the remainder of the crew. So much cargo had been piled up on the beach that six men were left to guard it until the summer, when it was hoped it could be taken off.

Altogether the "Francis" made three journeys to the scene of the wreck, and on her third and last visit Lieutenant Flinders was on board.

Owing to the peculiar nature of the tides in that region many people, among them being Governor Hunter himself, were of the opinion that there was a strait between Van Diemen's Land and the mainland. From the observations that Flinders made, he

felt tolerably certain that such a strait existed. His visit to the Furneaux Group is interesting. He has given us account of the seals and the sooty petrels (mutton birds) which congregated there in astounding numbers.

While the "Francis" was engaged at the scene of the wreck, Flinders employed his time making a survey of the nearby coasts, mapping Preservation Island, Clarke Island, the southern part of Cape Barron Island, and a number of smaller islands.

While Flinders was at the Furneaux Group, Bass was busy exploring the south eastern coast of the mainland, eventually reaching as far as Western Port. At one stage of his exploration he determined to run southwards to Preservation Island, hoping to get a supply of rice from the wreck. However, when half way to his objective, a leak was observed in the whale boat and it was considered safer to run back to the shores of the mainland.

When they drew near Wilson's Promontory, Bass and his crew observed a fire on one of the small neighbouring island. Believing it to have been lit by natives, Bass took the whale boat nearer and was surprised to find there seven white men, runaway convicts from Port Jackson. Originally fourteen of them had stolen a boat and absconded from the settlement, hoping to reach Preservation Island and its treasure of rum. All their efforts were unavailing and they failed to discover the island. Thereupon seven of the party, fearful of taking the boat any farther in such an overladen condition, deserted their comrades as they slept, taking the boat with them. The marooned man had lived for five weeks on seals and mutton birds when Bass discovered them. As his own provisions were running low, he was unable to take them all on board. He did pick up two, one an old man and the other too ill to travel. The remaining five were put ashore with a musket, ammunition, some fishing lines, and a cooking pot. These five men then attempted to walk to Sydney but none of them were ever heard of again.

It is remarkable that the practice of absconding to Bass Strait began at such an early date. In later years the islands became the refuge of all kinds of scoundrels, most of them runaways from the penal settlements of Van Diemen's Land.

The upshot of Flinders' voyage in the "Francis" and the coasting journey by Bass was that they needs must go exploring to prove that a strait really did exist between New South Wales and Van Diemen's Land. When their small decked boat, the "Norfolk", set out in 1798, she was accompanied by the "Nautilus" a brig commanded by Captain Bishop, who had heard of the vast number of seals among the island and was determined to try his fortune there. He was not disappointed, and after the "Norfolk" had conducted him to Kent's Bay, Captain Bishop secured nine thousand sealskins as well as a considerable quantity of the valuable seal oil.

The impetus given to the industry by these happenings caused it to be well-established by the time Collins arrived at Port Phillip. It was already the custom for colonial-built boats to remain for long periods in the islands in the Straits, killing seals and bartering the skins with vessels on the way to China. Governor King was anxious to encourage the industry, believing it to be among the few natural productions that might be termed commercial. Trade in elephant oil and sealskins was flourishing. During the year 1803, 21742 sealskins and 112 tons of elephant oil were brought to Sydney, and 26,5000 skins were exported. In fact such wanton destruction was prevalent that King was thinking of placing severe restrictions on the sealing gangs. Writing to Sir Even Nepean (May 9, 1813) he says, "Although a vast quantity of Sea Elephants and Seals have been taken and still abound about Hunter's Island and King Island, yet from different communications I have received I shall find it expedient to restrain individuals from resorting there in too great numbers."

and to fix certain times for their visiting these places to prevent the destruction of that commercial advantage. Since I took command 16,000 gallons of Oil have been imported from thence by Individuals. 1063 Tuns of Spermaceti Oil have also been secured by the South Whalers, all of which I need not point out as a rising Nursery for Seamen."

The presence of foreign vessels in Bass Strait was already causing annoyance to the governor. In 1802 the French schooner *L'Entreprise*, Alex. le Corre, master, arrived from the Isle of France and asked permission to catch seals in and about Bass Strait. King had no official instructions in regard to such matters and gave grudging permission. The vessel was forbidden to go to Cape Barren or King Is. as other sealers were engaged there. The vessel met with misfortune, being wrecked off one of the Sisters, to the north of Grand Capachin, or Flinder Island, Le Corre and most of his crew were drowned, and though the firm of Kable and Underwood endeavoured to refloat the vessel they were unsuccessful. King wrote jubilantly to Lord Hobart: "The French schooner I mentioned in a former letter, which arrived here from the Isle of France to catch seals etc., in the Straits, was lost among the Cape Barren Islands, which may stop any more adventurers from that quarter."

American sealers were numerous in the Straits, and the disputes between them and the colonial sealers sorely perplexed the governor, who wrote Home for definite instructions but was left to deal with the situation as well as he might. Americans were even building boats in Bass Strait, so Governor King issued a proclamation (May 26, 1804) forbidding such boats to exceed 14 feet length of keel upon penalty of confiscation. Many of the colonists were building boats for the same purpose, but the governor looked upon their efforts with an indulgent eye. He overlooked the fact that these boats were often longer than was permitted by instruction from the Home Government, as long as they were used solely in the Straits and did not trespass upon the trading rights of the East India Company. The Sydney men hated to see their profits cut down by the activities of the Americans, at the same time more skilful than they, and the Yankees, curiously enough, resented the presence of the sealers from New South Wales. The industry was becoming very valuable. Sealskins were selling as high as fourteen shillings each in England, and oil, (whether of seal or sea-elephant) was fetching as much as £42 per tun.

Bowen had sampled the doubtful comforts of a British whaler; he was now to hazard a voyage in an American sealer. When he arrived at Sydney in the "*Ferret*", he was by no means warmly received by his superior, who censured him for quitting his post at such a critical time. The colonial cutter "*Integrity*" had just been launched and finished with unwise haste. Bowen was ordered to return in her to Risdon, calling on the way, at Port Phillip in order to assist Lieut. Col. Collins in removing his establishment to the Derwent. He arrived at Port Phillip to find that Collins had already sailed. Thereupon the "*Integrity*" left for the Derwent by way of Bass Strait. Near Cape Barren Is. her rudder fastenings gave way, leaving her helpless. At the time two American sealers, the "*Pilgrim*" and the "*Perseverance*" were engaged nearby, and the "*Integrity*" was towed to Kent's Bay by the former. When attempts to fit the cutter with rudder irons had failed, Bowen decided to charter the "*Pilgrim*" to convey him to his settlement. A Sydney sloop, the "*Surprise*" was lying in Kent's Bay, but Bowen preferred not to trust himself to the colonists. The "*Pilgrim*" brought him safely enough to the Derwent at the cost of £400, a trifle which did not sweeten his relations with Governor King.

When Collins had effected his transfer to the Derwent he was anxious to justify his action to the Home Authorities. He wrote to Lord Hobart making a great point of the fact that his new settlement was in a very favourable position for the whaling industry. Whales were incredibly numerous in the Derwent at the

time. Chaplain Knopwood stated in his diary that it was dangerous for a small boat to venture far from the shore on account of the many whales sporting in the river. Yet the monsters were to enjoy their immunity little longer. The whaler, "Alexander" was busy among them in 1804, and when she was ready to sail Home in November, fully laden with oil, the Lieutenant-Governor was able to entrust his despatches to Captain Rhodes.

We owe the establishment of bay-whaling in VanDiemen's Land to William Collins, an ex-officer of the navy, who accompanied Lieutenant-Governor Collins from England. He was particularly interested in whaling and sealing and realised that a vast wealth of oil could be obtained not only from the adjacent seas but from the very bays and harbours of the island itself. Very soon he drew up a scheme which he submitted to the Lieut. Gov. In it he pointed out the full possibilities of Hobart as a whaling centre, and indicated the best methods for establishing the industry. The Lieut. Gov. was much impressed and forwarded the scheme to Lord Hobart only two days later.

If the scheme had been adopted in its entirety the industry would have been carried on under the control of one great organisation with its nerve-centre at Hobart Town.

H.R.A.
S. III.
V. I.
P. 275.

Put briefly Collins' remarks were as follows:- The Black Whale abounded in Storm Bay, in Storm Bay Passage, Frederick Henry Bay and the River Derwent (he had seen 5 or 6 whales at a time from the settlement), but the Sperm Whale did not come there, preferring the open sea. The best time for pursuing the Sperm Whale was between December and April, while the Black Whale was common in the Derwent from July to December. Whaling ships would be able to engage in the sperm fishery, make for the Derwent, and unload their cargoes of oil with still time left to pursue the Black Whale.

H.R.A.
S. I.
V. 5.
P. 175.

Upon these observations William Collins founded his plan for organising the industry. He had little faith in a venture directed from so distant a base as England. His plan required a resident agent at the Derwent to direct the operations not only of the ships at sea but of the works ashore. He recommended that ships should be sent from England fully prepared for a four years' sojourn in colonial waters, and equipped with all the requisites for successful whaling. On shore should be established "Boiling of Frying Houses" needed for "Trying out" the blubber of the black whale. Nor did he lose sight of the sealing industry, which was proving so lucrative. In connection with it he made the following suggestions:- A schooner built from timber obtained in the island should sail to the haunts of the seal and the sea-elephants to land men who would obtain skins and oil. Also it might be advantageous to purchase those commodities from the small colonial vessels of Port Jackson. (It is interesting to conjecture what the inhabitants of the older settlement would have thought of a scheme to divert this important trade from Sydney to Hobart Town).

H.R.A.
S. I.
V. 5.
P. 175.

H.R.A.
S. I.
V. 5.
P. 8.

Lieutenant-Governor Collins was also interested in sealing. He wrote to Governor King, complaining that the master of an American ship was building a vessel for the purpose of sealing in Kent's Bay, Bass Strait, and King forwarded his remarks to Lord Hobart, adding another plea for definite instructions in regard to the matter.

There was much friction between the American and the colonial sealers, though probably, as King suggested, both sides were to blame. It will be remembered that the colonial sloop, "Surprise" was laying at Kent's Bay, Cape Barren Is., when Lieutenant-Governor Bowen left for the Derwent in the "Pilgrim". The Derwent was reached in safety, and the "Pilgrim" made another trip to Kent's Bay in order to bring back the crippled "Integrity". When the task had been accomplished, Delane and his crew returned to their interrupted sealing. In the

meantime the colonists had been making full use of their time, and were supposed to have forestalled the Americans to the extent of 3000 dollars' worth of skins.

On the night of the 17th. of October, Joseph Murrell, master of the "Surprise", and one of his men were seized and ill-treated by Delano's gang. Murrell, writing to his employers, Kahle and Underwood, paint the incident in vivid colours. According to him, the Americans were bloodthirsty monsters and he was their innocent victim. His letter gives one the impression that the story lost nothing in the telling. In many respects the account is unintentionally humorous. In one passage he doubts whether he will recover from his injuries, and in another he hopes to be about his work again in three weeks' time.

Yet his narrative is extremely interesting. He says that he was pulled from his bed by four men, two of whom caught him by the hair. They dragged him to the bench, and after giving him many blows with their clubs, kept him naked there while they searched for other men of his party. They discovered one man, "and after stripping him, seized him up to a tree, and exercised most out-of-the-way cruelties, some giving him three or four, five lashes apiece others more, and a good many from one dozen to three dozen each. Thus they continued to act while life could be perceived in him."

Murrell was then treated in the same fashion until he broke away, and ran out into the water, "determined rather to be drowned than to be tortured to death. They then sent into the water after me a Sandwich Island savage, who overtook me and gave me a desperate blow on the head with a club, which club I have now and shall bring to Port Jackson, please God I live. He then gave me several violent blows on the body and a deep cut on my right arm, and my holding up that arm to save some violent blows on the head, he, with repeated blows, broke my right arm in three pieces. In this condition he dragged me ashore, where one of them told me he supposed I have got almost enough, but told me at the same time that there was a number of their country's ships expected in these streets and perhaps would not behave so well to you Port Jackson gentlemen."

H.R.A.
S. I.
V. 5.
P. 173.

Towards the end of 1804 Governor King decided to take measures against the foreign sealers. By a General Order, dated December 5, no foreign vessel could be cleared from the Port of Van Diemen's Land or its dependencies. Moreover foreigners were forbidden to reside or settle in the colony without express permission. Several reasons were given for having these stops, the chief ones being: Foreigners were depriving not only the British sealer but the British artisan and labourer of a livelihood. Also masters of foreign vessels did not scruple to connive at the escape of convicts in order to supplement their sealing gangs.

Bonwick
Transcript
1804.
P. 337.

In the early days of the settlement, whaling and sealing vessels proved themselves very useful by carrying despatches or even by supplying food to the depleted store-houses. In 1805, when Hobart Town was practically faced with starvation, three whalers came to the port. At the time, to add to the lieutenant-governor's worries, a cargo ship, the "Sophie", met with heavy weather and had to throw overboard a quantity of salt pork she was bringing to Hobart Town. Fortunately one of the whalers, the "Richard and Mary", was able to supply the store master of the boat did not lose by the transaction. Whaling captains never did. The provisions were not only replaced in Sydney, but Captain Lucas received, in addition, a bill of exchange for £300 on the English Treasury.

In the same year a British sealer, the "Pandora", sailed to Bass Strait, carrying despatches from England for Governor King. The master, however, did not intend to go out of his way to be obliging. He was not going to Sydney until he had a full cargo, and he would not entrust the despatches to any of the colonial sealers about to sail for Port Jackson. As Governor King did not wish to await the "Pandora's" pleasure (a matter of some four months) he had to fit out a special vessel to go to the Straits to collect the despatches.

By 1805, several colonists were conducting sealing ventures on a large scale. Robert Campbell was well to the fore, and the firm of Kable and Underwood was flourishing. At the same time many abuses had sprung up. The owners cared mainly for their profits and little for the welfare of their employees. Sealing was generally conducted by a gang of men left on the islands of Bass Strait. They remained there for months at a time, obtaining skins and oil, until vessels were sent by their employers to collect the commodities and furnish the men with provisions. Frequently the men were neglected, and having run out of stores, were left to "languish with cold and hunger". Governor King received a complaint from a gang of men employed on Cape Barren Island by Mr. Campbell, stating, among their distresses, that they had been ten weeks without provisions. About that time a boat's crew made its way to Port Dalrymple from the same neighbourhood to beg supplies for themselves and twenty others who had been neglected by Henry Kable and various employers.

There were also many more matters to perplex the governor. Free men who were conveyed to the Straits were often seized by American vessels. It was known to King that many employers were in league with the Americans, and found it profitable to send men to the Straits to be taken off by the foreign vessels. The wives and families of men who had been abducted were left as a burden to the public.

The misdeeds of the owners did not end here. It was their custom to sign on men and leave them about the settlements until means were found to convey them to the sealing grounds. Such men had no legitimate means of subsistence and had to support themselves by robbery.

Bonwick
Transcrip-
tions.

1805.
P.366.

In order to check such abuses, Governor King drew up very definite regulations, which were published on September 8, 1805. Free men with wives and families were forbidden to engage in sealing unless the promoters of the venture entered into bonds to maintain the wives and children with the usual ration until the breadwinner returned from sealing. The ration was to continue until satisfactory proof was adduced that the sealer was dead and not abducted by any other vessel. The bond also required an employer to bring his men back to the settlement when the term of their engagement had been completed.

An attempt was made to rid the colony of another source of annoyance, -- that of leaving men unprovided for until it was convenient to ship them to the Straits. In future employers were required to maintain the men they had engaged until there arose an opportunity of sending them to the gangs.

The regulations did not lose sight of the hardships endured by the unfortunate men who suffered from the cupidity or negligence of those who employed them. If employers failed to supply enough provisions for their men, no future clearance for a sealing voyage would be given to their vessel.

The Governor-in-Chief was actuated not only by a desire to benefit the gangs, but to save the settlements at Port Dalrymple and the Derwent from having their stores depleted by feeding distressed sealers. At the time the infant settlements had barely enough food for themselves, and the prospect of having to send food to twenty men or more was a serious one, though an

appeal for help, of course, could not be disregarded. A naive way of causing the owners to be more careful of their men's welfare was devised:- If a boat's crew came for provisions they would be supplied, but their employers would have to pay ten shillings for every pound of food provided.

The pursuit of seals was encouraged by the early governors as it provided employment for many men. As early as 1804 at least 180 men of New South Wales were finding not only a lawful means of livelihood, but an outlet for energies which might have been directed towards less worthy ends. Many of those who became whalers or sealers were ex-convicts or the children of convicts. Writing to Lord Hobart (Decemehr 20, 1804) Governor King said that the encouragement of the sealing industry would foster ship-building in the colony "giving the increasing youth in the settlement a trade, so that they will not follow the footsteps of their unfortunate fathers."

Still, the popularity of the sealing life contributed to the great dearth of agricultural labourers felt in New South Wales in 1805. If Governor King had not been enthusiastic in fostering the industry, no doubt he would have found this a very objectionable feature of it. But he felt that as long as enough grain could be raised to meet the requirements of the colony there could not be a more advantageous employment for the benefit of the inhabitants. This is very interesting when we consider the relative positions occupied by the sealing industry and the wheat-growing industry to-day.

While the Governor-in-Chief earnestly desired to encourage the whaling and sealing industries, he was fully aware of the evils which they occasioned, some of which have already been mentioned. An attempt to put whaling and sealing on a better footing was made in 1805. A bond was drawn up and the owners of all whaling and sealing vessels were compelled to sign it. They bound themselves to observe the following regulations:-

1. Not to sign on any persons forbidden to leave the settlement
2. To obtain a regular clearance from the naval officer before leaving the port on a whaling or sealing expedition.
3. Not to encroach upon the territory of the East India Company, which claimed to have exclusive rights in trading practically all over the Pacific and Indian Oceans. That is to say, colonial whaling or sealing had to be carried on between 10 37' South Latitude, and 43 49' South Latitude. Nor could it extend beyond 135 East Longitude.
4. Not to entice seamen from their employers or entertain deserters. This was an evil which continued for many years in spite of the regulations. Whalers or sealers received as wages a lay or proportion of the profits. Consequently if a voyage gave signs of being unprofitable, or the master were regarded as unlucky, his men did not scruple to desert him.
5. To provide sufficient provisions for the men stationed on the islands or along the coasts.
6. Not to discharge any cargo before the vessel had been properly reported and entered. This was directed against the masters who tried to evade port duties.
7. Not to authorize strange vessels to take British subjects from the gangs.
8. Not to buy or receive more than twenty gallons of spirits from any ship unless the governor granted special permission.

If any of the above regulations were infringed the owners were liable for a large sum of money.

The privileges of the East India Company were a source of considerable annoyance to the colonists. The company possessed a monopoly of the trading rights between the Cape of Good Hope and the Straits of Magellan, and clung tenaciously to its privileges. Whaling or sealing vessels from England were

H.R.A.
S. I.
V. 5.
P. 574.

not allowed to bring out stores to sell to the colonists as that would have been considered an infraction of the company's trading monopoly. This was regarded as a hard-ship not only by the owners of whaling vessels, who were excluded from a lucrative trade, but by the colonists, who were deprived of a cheaper method of getting supplies. The whalers were able to avoid the regulations to a certain extent by selling what they termed the overplus of their stores, and we may be sure that this always amounted to a considerable quantity. Such stores were sold at an exorbitant rate, the whalers making at least 150% profit, and thus the unfortunate colonist gained little advantage.

H.R.A.
S. I.
V. 3.
P. 2.

Governor King was strongly of the opinion that whaling ships should be allowed to bring out store with them. They had to make the journey whether they brought out freight or not, so it was to be expected that they would sell stores more cheaply than other ships. He even thought that it would be advantageous to send out convicts on whaling ships, which would carry them, no doubt, on easy terms--a suggestion more likely to appeal to the Lords of the Treasury than to the unfortunates fated to be handed over to the tender mercies of a South Sea whaler.

H.R.
N.S.W.
V. 6.
P. 95.

Lieutenant-Governor Collins also saw the advantage of utilising the whaling ships. "But, my Lord," he says, writing to Viscount Castlereagh, "might not provisions, stores, and people be sent to me direct from England by such whalers as might be designed to fish in this part of New Holland."

In 1806 the Trade Committee of the East India Company decided that no trade either to or from New Holland was permissible except under license from the Court of Directors, and "the regulations should be enforced for five years from the first of March 1807, being within the period of the East India Company's Charter."

The colonial sealers had many obstacles to overcome. It was not always an easy matter to convert the wealth of oil and skins into hard cash. First they had to find a market. In the beginning China was believed to be the only market for sealskins, and, as has been said, it was customary to sell skins to boats sailing through Bass Strait on their way East. Gov. King, ever ready to encourage the industry, had purchased some skins at seven shillings apiece for the shoe manufacture, but when it was found that sealskins were eminently suitable for the hat manufacture, the best market was clearly England.

Ibid.
P. 86.

By the new process, invented by a man named Chapman, the fine fur of the seal was coated over the coarser bodies of hats, and, as one seal gave sufficient to coat three or four bodies, the industry provided profitable.

Also, as early as 1806, some manufacturers were using the fine fur to make imitation swansdown.

With new markets thus opened up, the supply at first was not equal to the demand. The shipment of oil and skins to England was, at the best of times, a risky business. In the early days of the industry it was extremely difficult to market the products. On the one hand was the opposition of the East India Company, which was often ready to go as far as seizing vessels in order to maintain its rights, and on the other hand was the antagonism of the British firms engaged in the trade.

At first the colonists ran the risk of sending consignments of skins Home as freight in different whalers. Some oil was even carried to England by H.M.S. Glatton, the vessel that had brought Lieutenant Bowen to New South Wales, but the first complete cargo, consisting of skins and oil obtained by colonial enterprise, met with misfortune in London.

H.R. A shipment of 250 tons of elephant oil and 14,000 fur seal-skins was carried by the "Lady Barlow". Robert Campbell & Co. N.S.W. Sydney merchants, had purchased the commodities and managed V. 6 the shipment. When the "Lady Barlow" arrived in London, she P.100&101. was seized by customs' officials and restrained for four months. At the end of that time she was released, but the market price had then fallen and the company estimated that it lost 22000 by the detention. The attitude adopted was attributed to the envy of English companies, who had devised the scheme in order to discourage the competition of the colonial sealers.

P. 169. Between 1800 and 1806, well over 100,000 sealskins were obtained by colonial enterprise and brought to Sydney. During the same period over 7000 tons of black whale oil were gained by colonial vessels, but the colonists were not yet ready to venture farther afield after the sperm whale.

H.R.A. The 1806 is memorable. Bay whaling then commenced. S. 3. in the Derwent estuary. William Collins obtained permission V. I. to "fish" there and brought a body of men from Sydney to P. 539 undertake the work. However the time was not ripe for the inhabitants of the island to take part in the enterprise. The Lieutenant-Governor feared for the peace of his settlement if Van Diemen's Land convicts and ex-convicts from New South Wales were allowed to mingle. Accordingly no whaler was allowed to come up to Hobart Town without the written permission of William Collins, and none of the inhabitants were permitted to visit the whaling establishment or any craft connected with it. The establishment was at Trywork Point in Ralph's Bay, but the sanguine expectations of the owner were probably not fulfilled. No buildings were erected, and a dozen years later, no vestige of the establishment remained.

H.R.A. The whaling industry was vitally important to Van S. 3. Diemen's Land. If Hobart Town had not been proved to be the V. I. natural headquarters of the whale fishery, the island might P. 405. have remained nothing more than a convict settlement for many years longer. Lord Castlereagh had been informed that the Derwent was too far from the usual resort of whalers and hence of very little use as a depot. On this account he contemplated sending no more free settlers to Van Diemen's Land and maintaining it absolutely as a place of punishment.

When Lt.-Gov. Collins heard of the matter, he was extremely indignant and lost no time in pointing out the extent of Castlereagh's misconception. He wrote to England stating that far from being what Lord Castlereagh had described, the Derwent River was almost important whaling centre. Every year the Derwent had been visited by whaling vessels, many of which had filled up with oil procured in the estuary. At the very time he was writing the "Dubuc" was about to proceed to England with 180 tons of oil, all of it the produce of the river. It was true, he admitted, that the sperm whale was rarely met with very near to the island though some of these had been killed off Cape Pillar.

Remarks on the Country & Settlement -ts Formed In Van Diemen's Land" by J. Oxley 1810. The despatch is doubly interesting, showing, as it does the faith Collins had in the future of his settlement. His remarks were endorsed a year or two later by Surveyor Oxley, who believed that the industry would be very advantageous to the settlement. He said that ships on their way to the sperm fishery off the coast of New Zealand would find it convenient to call and refresh at Hobart Town which was situated so conveniently near South Cape that both sperm whale fishery and black whale fishery could be undertaken by the one ship for when the one ended the other began. While a ship was cruising off New Zealand for the cachalot, the black whale was also at sea, but soon after the sperm season ended black whales crowded into the bays and harbours of Van Diemen's Land.

In successful seasons, he said, 600 tons of black whale oil had been procured in the harbour. Hobart Town was much handicapped by not being open to commerce. In October 1810, by the port regulations issued by Govl Macquarie, no vessel whatsoever was allowed to discharge any of her cargo in any part of the colony but Port Jackson.

H.R.A.
S. 3.
V. 2.

The grievance existed for several years in spite of complaints made not only to Macquarie but to the Home authorities, and was not remedied until 1813.

From that time any ships could visit the Derwent and trade there with as much freedom as at Sydney. In the same year the export duty on sperm oil was fixed at £2:0:0 per tun.

Lt. Gov. Collins had been careful to warn off the bay-whalers from the settlement itself. While he recognised the value of the industry, he was under no illusions as to the kind of men engaged in it. He knew that the presence of such men and so many boats was constant inducement to his convicts to escape from the island. The lure of the Straits was always present too. In the first year of the settlement, it will be remembered, Duce and his companions had stolen a boat and made for the seal islands. Tales of wild lawless doings common in the islands, accounts of easily-won wealth and successful escapes to other parts of the world filtered through to the convict population. By 1815 the condition of affairs had already become notorious, and it required the utmost vigilance to thwart the number of desperate characters who had all their endeavours bent on escape. It frequently happened that a whale boat with a clearance for the seal fishery picked up a number of convicts on her way from the Derwent or Port Dalrymple and carried them off with her. In the Straits they spent their time hunting seal and sea-elephants or plundering the store belonging to the legitimate sealers. Deeds of violence of every description were common and murder as a novelty lost its charm. Black women either from Van Diemen's Land or New Holland were abducted in large numbers and treated very cruelly. A complaint written in September 1815 describes the situation well:- "They have a Custom of getting the Native Women of Van Diemen's Land among them, who they mostly obtain by force and keep them as Slaves or Negroes, hunting and foraging for them, who they transport and dispose of from one another as their own property; very few of whom ever see their Native Home, being away for a number of Years, and if they do not comply with their desires or orders in hunting etc., then by way of punishment half hang them, cut the head with clubs in a shocking manner, or flog them most unmercifully with Cats made of Kangaroo Sinews."

J. Stewart to
Colonial
Secretary
Campbell.
H.R.A.
S. 3
V. 2.
P. 575

These desperadoes of the Straits obtained food, clothing, tobacco and spirits from vessels which came to barter such articles for sealskins. In this way they were able to establish themselves there permanently with no regrets for the settlements they had left.

In Captin Kelly's account of his voyage round Van Diemen's Land, in a small, open five-oared whale boat in 1815-16 we find the following account of the relationship between the sealers and the native women; "The custom of the sealers in the Straits was that every man should have from two to five of these native women for their own use and benefit, and to select any of them they thought proper to cohabit with as their wives, and a large number of children had been born as a consequence of these unions--as fine, active, hardy race. The males were good boatmen, Kangaroo hunters, and sealers; the women extraordinary clever assistants to them. They were generally very good-looking, and of a light copper colour."

One of Kelly's boatmen, a man named Briggs, had left two wives and five children upon the islands during his absence at Hobart Town. He had been employed for many years as a sealer in Bass Strait, and was able to speak the dialect of the north east coast of Van Diemen's Land fluently. This knowledge had resulted from the many trips he had made to Cape Portland to barter with the natives for kangaroo skins, or to purchase from them young native women to serve as wives.

Kelly gives an interesting account of one way in which the native women proved useful to their white husbands. They were able to capture seals at times when the sealers were unable to come near the timid animals. First of all they dived completely under the water so that the seals would not be able to scent them. Then, keeping to the lee-ward side, they swam to the rock on which the unsuspecting seals were sunning themselves. Pulling themselves out of the water, they lay down beside the seals, imitating their every movement. If the seals raised their heads to peer around, the women did the same. If the seals scratched themselves with their flippers, the women raised their left elbows a trifle and scratched themselves with their hands. After a time that Kelly reckoned to be an hour, they sat bolt upright on their haunches and dealt the seals a tremendous blow on the nose, killing them instantly. Then, jumping to their feet, they rushed among the others and succeeded in killing some more before they were able to retreat to the water.

In giving evidence before the Bigge Commission in 1820, Mr. T. W. Birch, merchant of Hobart Town, stated that he had been engaged in the whale fishery almost every year since he arrived in the Derwent as medical officer of the whaler, "Dubuc", in 1808.

(It is an interesting fact that the "Dubuc" finished her career in the Derwent after she had conveyed T. W. Birch to Hobart Town. She was condemned as unseaworthy and beached at Kangaroo Point, where her timbers lay rotting for many years afterwards.)

We learn from the Hobart Town Gazette that he was the proprietor of a successful whaling concern in 1816. His brig, the "Sophia", under Captain Feen was actively engaged in the Derwent during that year, and the "Henrietta Packet" under the command of Captain James Kelly was busily engaged in sealing. It is almost certain that in the same year Birch and Kelly discovered Port Davey in the "Henrietta Packet" and Kelly went farther north in a whale boat making a voyage which led to the discovery of Macquarie Harbour. As a reward for the discovery of Port Davey, Birch was granted the sole right of getting Huon pine from Macquarie Harbour for one year, commencing from July 1st., 1817.

Other inhabitants were just as ready to seek fortunes in black whale oil, as is shown by the following news item:- "A great number of whales have already made their appearance in Frederic Henry Bay; some few have been seen as high as Sullivan's Cove. Preparations are making by Mr. D. McCarty & Coadjutors to begin the fishing-- the different elements contribute to our prosperity when industry leads the way."

Hobart
Town
Gazette.
29-6-16

The life of Dennis McCarty was an eventful one. Beginning in Van Diemen's Land as a convict, he became a constable, a superintendent of government stock, and an influential settler in New Norfolk. He was sentenced to imprisonment for smuggling spirits, stood his trial for assault and battery, and took an active part in exterminating bushrangers. As soon as he heard of Kelly's adventurous voyage to the West Coast, he fitted out a schooner in order to find out the possibilities of that region. The schooner was lost at Port Davey, but, nothing daunted, McCarty made another voyage to the inhospitable coast in his brig the "Sophia". He entered Macquarie Harbour, discovered the Gordon River, and brought

back with him a valuable cargo of Huon Pine. After his return the "Sophia" was sold to Thomas Birch and was captained, first by Feen, and later by James Kelly.

McCarty's death was no less remarkable than his life. He was drowned in March, 1820, while returning to New Norfolk in a small boat. One of the men in the boat climbed the mast in order to clear the job, and a sudden gust of wind upset them. McCarty was drowned as a boat was coming to his assistance. As well as the "Sophia" he had owned the "Henrietta Packet" (which he purchased from Birch) and a smaller boat, the "Geordy."

Bent's
Almanac
Published
1824.

During the year 1816 several whaling vessels visited Hobart Town. The only foreigner amongst them was the "Enterprise" captained by Coffin and out from Philadelphia on a whaling voyage. From England came the "Admante" (Captain Elder) and the "Spring" (Captain Wilkinson) both bringing merchandise. They landed their cargoes and proceeded to the whale fisheries. The "Admante" returned Home with her oil but the "Spring" remained in Van Diemen's Land, the property of Lieutenant Edward Lord. She divided her time going to Bass Strait for sealskins and visiting Kangaroo Island for salt, and whaling in the estuary of the Derwent.

In 1816, Kelly took the "Henrietta Packet" on a sealing voyage for William Birch, and Feen obtained 40 tons of black whale oil for the same owner in the "Sophia". Towards the end of 1816, Kelly replaced Feen as captain of the "Sophia", and, in the following year made three voyages in less than three months to Macquarie Harbour in order to carry Huon Pine to the Derwent. Captain Feen took charge of the "Henrietta Packet", which had been acquired by Dennis McCarty and was very successful.

H.T.G.
29-3-17

James Kelly was undoubtedly the most venturesome of our early seamen. Some idea of his fearlessness may be gleaned from the following:- In 1817 he made his voyages to Macquarie Harbour, bringing back valuable shiploads of timber. The same year he proceeded on a sealing voyage to New Zealand, after advertising in the Gazette for "Six Fine, Young, Able-Bodied Seamen". The men who responded to the advertisement were fated to have their fill of adventures.

On November 12th., the "Sophia" set sail from Hobart Town, and a month later dropped anchor at Port Daniel, where the Moari town of Otago was situated. Kelly, with a boat's crew, went on shore the same day and was received by the natives with every sign of friendship. He attributed his good reception to the fact that one of the crew, a man named Tucker, had been at Port Daniel before, and was well known to the natives, being called "Wioree" by them.

On the following day, the captain went in his boat with six men (Tucker among them) to Small Bay, outside the harbour's mouth and about two miles distant from the brig. The natives here also received them kindly, and welcomed Tucker as a friend. Kelly made the chief of the village a small present of iron and proceeded to his dwelling to bargain for potatoes, leaving a man named Robinson to guard the boat.

The sealers were grateful to Tucker for gaining the friendship of the Moaris as it saved them the necessity of burdening themselves with weapons. In a short time a large number of Moaris had gathered in the village, about sixty being in the yard of the chief's house where the boat's crew were standing. Without warning a horrid yell arose from the natives. Kelly and two of the crew were thrown down by the mob. Tucker with the remaining two, Dutton and Wallon, were also seized, but broke clear and ran to the boat where they found Robinson reeling from a wound in the head. Thinking it impossible that the rest could escape they immediately launched the boat. In the meantime, however, Kelly was engaged in a dreadful conflict

with the natives. Happening to have a billhook with him, he slashed about him like a madman and effected his escape, (only being speared in the left hand). Tucker was still on the beach while Dutton and Wallon and the wounded man were in the boat, backing her out of the surf. Kelly made the boat and was dragged through the surf calling on Tucker to follow him. But Tucker trusted to a foolish belief that the Maoris would not harm him. He had not reckoned on the disappointed blood-lust of the savages who came rushing to the beach armed with spears and hatchets. He kept calling to them not to harm their friend, poor Wicree, but they paid no heed. He rushed out into the surf, crying out, "Captain Kelly, for God's sake don't leave me!" His friends could do nothing to save him. He was speared through the right thigh and knocked down in the surf. Then he was cut limb from limb and carried away by the savages.

The survivors hastened to the brig where they found a number of the Otago natives. These, pretending to be friendly, asked what had become of Tucker and the other two men. On being told what had happened their attitude became threatening. At the time the brig was crowded with Maoris. More than a hundred were on board, and the decks, rigging, tops, and yards were full of them.

The captain formed a solid square on the quarter deck under the main-boom. The chief, Corocker, called on his men to attack and seize the crew, but the natives were crowded so closely together that they could not use their weapons, neither could the white men use their fire-arms. Kelly took the one chance left. He called on his men to draw their sealing knives (each man carried two) and cut away. They stabbed so fiercely that many natives fell. Others jumped over-board and were drowned, being swept out to sea by the strong ebb tide then flowing. Coracker, seeing his men completely defeated, tried to kill one of his enemies with a tomahawk, but he was seized, bound, and locked in a store room until the next day. The decks were littered with dead and dying Maoris. They threw overboard sixteen bodies and secured the wounded. Numbering only only fourteen, they had driven off more than a hundred, only two of their own being disabled.

A good watch was kept that night as there was danger of attack from the canoes lying on the beach. But the night passed without incident. About six o'clock next morning a number of Maoris came down to the beach calling out for their chief, Corocker, wondering if he were still alive. He was brought on deck. He called to his men to bring a large canoe-load of potatoes to the brig, and the white men, imagining it was his ransom, allowed it to approach. Then someone cried out that the canoe was full of men, and rushing aft, they saw a large number of Maoris lying concealed under mats at the bottom of the canoe. A volley of musketry was poured into them, upon which they jumped overboard and tried to bring the canoe alongside. Some attempted to clamber up the sides of the vessel but were either shot down or run through with boarding spikes. In the excitement Coracker jumped overboard but was shot in the neck. As he was sinking two of his men came to his assistance, and took him, grievously wounded, to the shore.

Another day dawned, but the danger was not yet over. The Maoris came down to the beach obviously intending to launch another attack. At the same time they cried out bitterly lamenting the death of Coracker who had died during the night. Kelly decided not to wait for another attack but to forestall the natives by capturing and destroying their canoes. Two boats were manned and towed to the beach. When the Maoris saw them coming they fled inland, being afraid of the white men's muskets. A boat's crew was landed but the other boat was kept afloat to cover the men who were on shore. There were forty two canoes lying there and every one was sawn into three pieces. Then, as the crew needed firewood, and were afraid to go inland for it, they split the canoes with axes, and took the pieces on board.

When the Maoris saw their canoes destroyed they rushed to the beach once more, armed with clubs and spears, wading out into the water in a frenzied effort to reach the retreating boats. However they had left their attack too late, and the crew reached the brig uninjured.

After this last attack Captain Kelly decided he must teach them a lesson and made up his mind to burn down their beautiful town of Otago. As it was Christmas Day, the attempt was postponed until the following morning. This time nine men were landed but both boats were kept afloat in case a sudden retreat became necessary. On their approach the natives again ran to the hills and left their town at the mercy of the whites. A strong north westerly wind was blowing and soon the fire was raging fiercely. In a few hours more than six hundred houses were reduced to ashes.

At length Kelly decided to fill his water casks and sail from Port Daniel. A number of water holes were scattered along the shore and when the men came to them they found the water was of a curious blue colour. Recalling that Tucker had told them how the Maoris sometimes poisoned the water by breaking large blue berries into it, they decided not to run the risk of using it and sailed away without replenishing their casks.

At daylight the next morning they weighed anchor and sailed for Chatham Is. Hundreds of Maoris came to the water's edge, uttering cries of vengeance, and the sealers gave them a parting volley as the brig began to glide out of the harbour.

In December, 1817, the ship, "Ann", arrived from England under the command of Captain John Wilkinson, after battling for five months against very heavy gales. With many of her crew down with scurvy, she called at the Derwent for refreshment. When her wants were supplied she proceeded to New Zealand, and her fortunes so far changed that she was able to procure 100 barrels of sperm oil. Returning to the Derwent to pursue the black whale she was equally fortunate. The Hobart Town Gazette (12-9-18) records:- "The "Ann" Captain Wilkinson, whaling down the River, had on Saturday last caught in all 30 whales-- a number we believe unprecedented by any vessel on a similar voyage since the formation of this settlement." Her good luck continued and when she came to anchor in Sullivan's Cove preparatory to returning to England she had nearly 300 tons of black whale oil and 100 barrels of sperm oil to take with her. Captain Wilkinson took the precaution of publishing the usual warning in the "Gazette":- "The Public are cautioned not to Trust any of the Crew of the above Vessel, as no debts of their contracting will be paid by the Commander."

H.T.G.

IO-IO-18.

Sealing vessels to Hobart Town in 1817, were the "Campbell Macquarie", (Captain Siddons), which called at the Derwent on the way from Sydney to Macquarie Is., with a sealing gang, and the "Jupiter", (Captain Bunster), which brought prisoners from Sydney and afterwards left for a sealing voyage.

Beet's
Almanac
1824.

Local vessels engaged in fishing were the "Henrietta" Packet, the "Sophia" and the "Spring". The "Henrietta Packet", (Captain Feen) made a voyage through Bass Strait as far as Kangaroo Is. bringing back skins and salt. Voyages to Kangaroo Is. were very common as salt was necessary for preserving sealskins. We find that the early sealers were greatly handicapped through lack of this commodity. Captain Wilson, the London agent for the Sydney firm, Campbell & Co., writing to Sir Joseph Banks in 1806, stated that of 14,000 fur sealskins sent to England by the "Lady Barlow", all except 300 were dry for want of salt. Later they were able to remedy this deficiency by visiting Kangaroo Island.

H.R.

N.S.W.

V. 6.

P.100-101

H.T.G.

26-7-17

After the return of McCarty's "Henrietta Packet", Captain Feen changed over to the "Spring" and engaged in the black whale fishery. He was equally successful in whaling, as in the "Hobart Town Gazette" records; "We learn that the bring

"Spring". Captain Feen, has procured nearly 70 tons of black oil, and that her gang are all on shares and in the best spirits possible from the encouraging prospect they have met with."

H.T.G.
24-1-18

In fact, Captain Feen's success was so great that early in January 1818, the "Spring" was able to sail direct for England with 60 tons of black whale oil on board. The brig was then owned by John Ingle, the curious undertaker, who buried Governor Collins at the amazing cost of £507.8.3.

H.T.G.
28-8-18.

The "Sophia" returned from her sealing voyage to New Zealand in March 1818, after an absence of 19 weeks, bringing with her 3000 sealskins. The same year she was busily engaged in bay whaling. The season of 1818 was favourable beyond expectations. Kelly was able to make two successful trips down the river; the first though only lasting three weeks, brought 35 tons of black oil which were transhipped to the colonial brig "Jupiter", and carried to Port Jackson along with 300 bushels of wheat. The second cruise of the "Sophia" was equally fortunate, six whales being captured in the river.

H.R.A.
S. 3.
V. 2.
P. 394

James Kelly made several more trips to Macquarie Harb. for Huon pine; but not being appointed harbour master and pilot of the Derwent in 1819, he had to resign his command of the "Sophia" though he continued to be interested in bay whaling, as will be seen later. Before relinquishing his command he had one more adventure. On March 18, 1819, the schooner "Young Lachlan" arrived with passengers from Sydney and Port Dalrymple. As usual she was anchored in the Cove near Hunter's Island, but on the following day the master moved his vessel round to Macquarie Point so as to be nearer his store. Although he had done this without permission he was allowed to remain there on condition that he carried out the usual precautions of landing rudder and sails so that the schooner might present an opportunity for convicts to escape. Instead of complying with the instructions, the master left the sails and rudder on the boat. He set out on a journey to the country and the four members of the crew kept no proper watch.

Ibid.
P. 386 etc.

On the night of March 27, 15 convicts boarded the schooner, captured her crew, and "cut out" the vessel from the river. They did no harm to the seamen, who were landed on Brunie Island.

The news was brought to Lieut. Gov. Scerrell at five o'clock the following day. At that time, there were no vessels in the harbour but Mr. Birch's "Sophia", and a shallop also belonging to him. Both of these were unrigged, but, under the direction of Captain Kelly, the latter was quickly got ready and was able to carry a party of soldiers in pursuit of the pirates.

By the time they got away it was nearly noon, and though they examined all the nearby coasts and bays, they could not find the runaways. However, the four marooned seamen were discovered on Brunie Island and brought back in the shallop.

"The pirates", wrote Scerrell, "had no water, no anchor, no wood, no oil or candles, and only three water casks." Yet they reached Java, where they were subsequently wrecked.

Ibid.
D. 389

The incident led to the appointment of Captain Kelly as harbour master and joint pilot of the Derwent, as it was seen that the services of a faithful and energetic man were needed to put down smuggling and to prevent the escape of desperate convicts.

Bent's
Almanac
1824.

During 1818 the American brig, "Clarion" (Henry Gyzelaar) put in at the Derwent for refreshment, after being out seven months from Boston on a trading and sealing voyage. In the same year the colonial schooner, "Elizabeth & Mary" (Johnn, master) called at the port while on her way from Sydney to Macquarie Is. with a sealing gang.

H.T.G.
19-6-19.
and
4-9-19.

The year 1819 was favourable for whaling. The "Martha" (Captain Apsey) visited the Derwent and procured 25 tons of oil in a few days. Before leaving for the sperm fishery off New Zealand, the vessel obtained 170 tons of oil. In the same year the "Robert Quayle", with merchandise, and the "Regalia", with passengers, arrived from England. They were employed in the fisheries in the following year.

H.T.G.
3-4-19.

In April 1819, the "Jupiter" arrived from Kangaroo Is. with the melancholy news that Mr. C. Feen had been drowned in the Bay of Shoals there, Feen was well known as a whaling and sealing skipper. His life had been an adventurous one. He was the navigator of the "Sophia" when McCarty went in her to the Gordon River, and though McCarty deserves credit for organising the expedition, a good deal of the honour of the discovery must be given to Captain Feen. At the time of his death the "Jupiter" had been very successful, and when she arrived in the Derwent, she had on board 3,200 seal skins, 2,400 kangaroo skins, and 30 tons of salt.

Bigge
Commission
H.R.A.
S. 3.
V. 3

In 1820 Commissioner Bigge was in Hobart Town, and his enquiries reveal many interesting facts relating to the whale and seal fisheries. The evidence given by Thomas Birch and Captain Kelly throw much light on the conditions under which the industries were carried on. At that time most of the men employed in bay-whaling were from English ships though the native-born youths showed aliking and an aptitude for the work, at least seven or eight of them having become officers. The seamen were usually paid £3 per month, though when labour was scarce the wages had risen to £4 per month. The sperm fishery was carried on during the summer months near the coast of New Zealand, between 33 degrees S. Lat. and 38 degrees S. Lat. In winter the whales migrated northwards, and fishing began on the northern coasts of N.S.W. However many whalers preferred to come to Van Diemen's Land, where the black whale, or right fish, was abundant in the winter months.

The colonists found the operations very costly. In the first place all whaling gear (harpoons, lances, good casks, and lines) had to be imported from England, though good whale boats were being built in the colony. Also the owners had to pay whenever their vessels entered or left the port. In fact there was little to encourage the industry. If oil were exported to England, a heavy duty had to be paid there, so it was better to ship the oil to Calcutta in exchange for merchandise.

While Commissioner Bigge was taking evidence, a meeting of merchants was held in Hobart Town in order to draw up and submit to him a list of the disabilities under which they suffered. Their first resolution was as follows:-

H.R.A.
S. 3.
V. 3.
D. 534/

"Resolved that the heavy duties and Port Charges imposed on Shipping are highly detrimental and Injurious to the Commercial Interest of this Island, and is felt particularly Oppressive in the Colonial Craft."

The following list will give an idea of the fees which had to be paid:--

NAVAL OFFICE.

RETURN OF FEES PAYABLE ON SHIPPING.

For Colonial Vessels.

Deeds of entry and clearance to Port Dalrymple or Port Jackson, or the Fisher & Islands.....	£0.10.0
Ditto to Naval Officer's Clerk.....	£0.2.0

The following duties to be levied and collected by the Naval Officer on the articles hereunder named, upon their arrival and landing, whether for colonial consumption or re-shipment.

On each tun of sperm oil (252 gallons).....	£2. 10. 0
On each tun of black whale or other oil	£2. 0. 0
On each fur seal skin.....	£0. 0. 11
On each hair ditto.....	£0. 0. 11

TABLE OF FEES PAYABLE TO SECRETARY.

On affixing Official Seal to the Clearance of Vessels
per ton 6d.

WHARFINGER'S FEES.

On each bale, cask, or package landed or shipped.....3d

WHARFAGE.

Wharfage on each bale, cask, or package.....6d.

H.R.A.
S. 3.
V. 3.
PF528etc.

Though admitting that the merchants were actuated by selfinterest, I cannot but believe that the commerce of the island did really suffer from these charges, and that the whaling and sealing industries were handicapped by them. A few examples will illustrate this:--

In 1817 Dennis McCarty paid £60 duty on black whale oil. In the same year, the "Sophia" belonging to T.W. Birch, paid £74.6.0 in various fees to the Naval Officer, and in the following year the fees she paid amounted to £162.3.0.

The seal fishery was carried on during the summer months by vessels between 40 and 90 tons register. Gangs were left upon the island of Bass Strait, sometimes remaining for two years. Such men received 5/- from their employers for each seal skin, and were also provided with food and clothing. The employers shipped the skins either to England where the price was 11/- or 12/- per skin, or to China where they brought 2 dollars apiece. Unfortunately the industry showed signs of failing, owing to the wholesale slaughter carried on by men who had no proper right to be in the Straits. The men hunted the seal and kangaroo, bartering the skins with vessels which happened to pass. Black women were frequently captured, or, in some cases, it was said, obtained from their husbands in exchange for the carcasses of seals from which the skins had been stripped. The women were found very useful in hunting both the seal and the kangaroo.

Bigge
Commission.

Port Dalrymple was closely connected with the sealing trade. During the year 1819 the "Governor Macquarie" and the "John Palmer" carried seal skins to Port Jackson, the former taking 14,000 of them. In addition she carried 40 tons of salt as well as wheat and kangaroo skins. When summer was approaching the "John Palmer" (36 tons) and the "Glory" (35 tons) cleared for sealing voyages in the Straits, and early in 1820, the "Sophia" (90 tons) arrived from the Derwent on her way to the sealing grounds. At the end of the 1820 season, the "Little Mary" went to Sydney with 3,300 seal skins. This tallies with the evidence of the George Town Pilot, John Thomas, who stated that three vessels a year usually cleared for sealing voyages, one of them coming from the Derwent.

H.R.A.
S.3.
V. 3.
P.724.

P.398

The 1820 whaling season brought a record number of vessels to Van Diemen's Land. The brig "Active," (Capt. Thompson)

was early in the field, arriving from the New Zealand sperm fishery in good time to pursue the black whale. She obtained a full cargo of oil, and, after transshipping it to the "Robert Quayle", left with other merchandise for Sydney.

H.T.G.
9-4-20.

Four other vessels were actively at work during the year. They were the ships, "Prince Regent", and "Regalia", and the brigs, "Robert Quayle", and "Sophia". The "Sophia" was the only local vessel engaged, and Thomas Birch attributed this to the excessive port charges.

Bent's
Almanac
1824.
H.R.A.
S. 3.
V. 3.
P. 42.

These whalers were already operating in Adventure Bay and Oyster Bay. Whaling probably extended to Oyster Bay during this season of 1820. In May, 1820 Captain Kelly informed Commissioner Bigge that whales were abundant in Oyster Bay though they had never been fished there. Yet three months later Lieut. Gov. Screll wrote to Gov Macquarie, stating that whaling was carried on in Oyster Bay, Adventure, Bay and Frederick Henry Bay.

The presence of so many English whaling vessels was due to Acts of Parliament passed to encourage the whale fisheries. The first of these acts was passed in 1795, and amendments were made in 1811 and 1815. Substantial premiums were offered to English whalers fishing south of the Equator, provided they complied with certain conditions. These vessels kept away from ports as much as they could in order to escape the heavy port dues. Probably more vessels would have called at the Derwent if the dues had been lower. Captain Kelly was very emphatic about this before the Bigge Commission. An interesting point arose in connection with this in 1820. The ship, "Prince Regent" arrived off the coast of Van Diemen's Land in May but did not come up to Hobart Town. Nevertheless the lieutenant-governor allowed^{her} to purchase provisions, and she sent her boats up to the settlement to obtain them. When she had finished her whaling she came once more to Storm Bay and Captain Anderson asked if casks might be sent down the river to him. This looked like a deliberate evasion of port regulations; the ship would obtain most of the benefits offered by the port without contributing to its upkeep. This was not the only objectionable feature. In addition she would not be subject to search by authorities before sailing, an omission which would facilitate the escape of convicts. The request occasioned much concern to Lieutenant-Governor Screll. He did not like to appear to hinder an industry which was receiving special encouragement from the English Government, but he feared to establish a precedent by acceding to the request of Captain Anderson. He realised that many other whalers would come to Storm Bay and expect to receive whatever supplies and provisions they needed without contributing one penny to the revenue. He submitted the question to Governor Macquarie, and, pending his decision, the "Prince Regent" was allowed to take the casks on board, her agents binding themselves to pay port charges if the decisions were unfavourable to them. The Governor-in-Chief agreed that all vessels which had been fishing in the nearby bays and harbours should come up to the port and to undergo the usual search, and this order was enforced as much as possible.

P. 191

H.R.A.
V. 4.
P. 406.
P. 191.

H.T.G.
7-10-20

On September 9, 1820, the whaler, "Rambler" (Captain Bewyer) arrived at the Derwent, having left England eight months previously. She had on board 300 barrels of sperm oil, obtained during her cruise, and while she was lying at anchor in the harbour fortune put more wealth in her way. A strong sea breeze was blowing at the time, and, probably owing to this, two whales were driven up the river as high as Sullivan's Cove. The "Rambler" was the nearest vessel to them. She put off two boats, and after an exciting chase, both whales were secured. The incident was witnessed by many people who lined the waterfront.

H.T.G.
many of the
14-10-20

Later one of the whales was towed alongside the "Rambler", and the inhabitants "gratified their curiosity by viewing the enormous animal".

The Hobart Town Gazette (July 1, 1820) contains the following news item:- "On Macquarie Is. the seal is not now to be procured owing to our own impolicy in killing all ages and sexes on the first descent made upon it."

H.R.A.
S. I.
V. 7.
P. 763.

So the unthinking slaughter of seals was not confined to Bass Strait. Sealskins had been obtained in enormous numbers on Macquarie Is. The first sealing voyage there that I have been able to trace was that of the "Perseverance" in 1812, though I have no doubt that many sealing vessels were engaged in that locality before that year. The "Perseverance" arrived at Port Jackson on November 1, 1812, with 15,000 sealskins obtained at the island. Probably encouraged by the success of the "Perseverance" the "Elizabeth & Mary" left for Macquarie Is. four days later, and the "Perseverance" returned there early in December. The "Elizabeth & Mary" was also successfully obtaining 1,7000 skins.

In 1815, the "Elizabeth & Mary" returned to frequent the Island, and in March, she came to Port Jackson with 2,690 skins. In the same year the "Endeavour" and the "Cumberland" brought good cargoes of sea-elephant oil from the same place, the latter paying £38-18-4 on 44½ tons of oil.

When the "Elizabeth & Mary" returned to Macquarie Is. in 1815 she procured elephant oil and not sealskins. Perhaps the latter were already becoming more difficult to obtain, Bent's Almanac, 1824, does not note any vessel's having called at the Derwent on her way to Macquarie Is. in 1816, (the earliest year it records). The "Campbell Macquarie" put in at Hobart Town in 1817 on her way there from Sydney, and in 1818 the "Elizabeth & Mary" called at the Derwent on her way South. Both vessels had sealing gangs on board.

Bent's
Almanac
&
Gazettes.
H.T.G.
3-3-21,

Owing to the decline in the number of seals, few vessels could have gone to Macquarie Is. in 1819. When the seals began to fail elephant oil was sought. The "Robert Quayle" (in 1820) and the "Regalia" (in 1821) were successful. Both of these vessels employed gangs of men from Hobart Town, and sea elephants were said to be wonderfully numerous.

As the few remaining seals appear to have been left unmolested for a while, they had a chance to increase, and sealing was taken up again as a side line in 1821. However elephant oil was the chief commodity sought. The "Midas" (Captain Beveridge) and the "Emerald" (Captain Elliot) were busily engaged at Macquarie Is. seeing both elephant oil and sealskins in 1821.

In the summer of this year at least fourteen whalers were engaged in the sperm fishery off the coast of New Zealand. The "Ann" (Captain Lowry) procured over 300 barrels of sperm oil, proceeded to the Derwent, and was so successful that she had taken seven whales by the middle of July. The "Active" and the "Caroline" from Sydney, and the locally owned "Sophia" were also busy in the river. While the "Emerald's" gangs were at work on Macquarie Is., she came to the Derwent and spent some time hunting the black whale.

In 1822 was published a "Geographical, Historical, and Topographical Description of Van Diemen's Land", the author being Surveyor-General George William Evans. It contains a number of references to the whaling and sealing industries. An interesting point is that hats were being manufactured at Sydney, seal fur being used as a substitute for beaver. There was a big demand, also, for the fur in London. Evans criticised the action of the British Government, stating that the heavy duties levied on oil obtained by ships without a British register practically prohibited the colonists from engaging in the industry. The oil obtained by the few colonial vessels was either exported to India or used in the colony itself.

In 1822 many of the whalers which had been off the coast of New Zealand the previous year began to arrive at the Derwent. The "Kent" affords a good example of the discomforts

T.G.
5-21.

of a whaling cruise. She followed the sperm whale from New Zealand to the Fiji Islands, and when she arrived at the Derwent to pursue the black whale she had not been thirty hours at anchor in the twenty two months that had elapsed since she left England. Her vigilance was not relaxed even in harbour, and on a Sunday a whale was taken in view of Hobart Town/

The "Seringapatam", the "Vansittart", and the "Woodlark" were also present for the black whale season, and the "Providence" and the "General Gates" called at the Derwent to refit.

T.G.
18-5-22.

During this year, Mr. Kelly, the harbour master, managed to catch a whale in the river and secured 80 barrels of oil through his endeavours.

A curious feature of the social life of Van Diemen's Land in the early years of settlement was that sealskins, kangaroo skins, opossum skins, and, in fact, all kinds of colonial produce took the place of money, and most transactions were carried on by a system of barter. The firms advertising in the Hobart Town Gazette signified their willingness to accept any such commodities in the place of cash. Whaling vessels which put in at the port to refit usually defrayed expenses by landing the equivalent in oil.

Among the vessels which were at Hobart Town in 1823, were the "Thalia" and the "Woodlark", pursuing the black whale; the whaler, "King George", which called to refit; and the "Caroline", connected with the seal and elephant industry at Macquarie Is. The "Caroline" belonged to Edward Lord of Hobart Town.

In 1824 Edward Carr of the Van Diemen's Land Company published "An Account of The Colony of Van Diemen's Land, Principally Designed for the Use of Emigrants." He made some interesting references to the whaling industry. He said that the colonists themselves had as yet done little to gain the great wealth awaiting them in the bays and harbours of the island. The colony possessed only few vessels and fewer men who could successfully head a whale boat. Most of their operations were carried on from whaling stations. The try-works were built on shore and the dead whales were towed there. If whaling were carried on in this way it was not necessary to use a vessel. Nevertheless he doubted if that system were really economical as whales were easily lost if a contrary wind sprang up while they were being towed. In the case of a vessel the danger was avoided as the vessel could betaken to the whale.

H.T.G.
14-5-24.

Cyster Bay was fished during this year. The "Thalia" after whaling at the Derwent during the winter of 1823, proceeded to New Zealand, where she obtained 400 barrels of sperm oil. At the end of the sperm season, she came to Van Diemen's Land to hunt the black whale in Cyster Bay. The schooner "Australian" was whaling successfully in the Derwent at the same time. June, 1824, was a very cold month, and the coldness of the sea appears to have driven many whales into the sheltered rivers and bays. A large number of whales was captured in the Derwent and D'Entrecasteaux Channel.

H.T.G.
6-5-25.

In April, 1825, occurred the unusual spectacle of a whale at New Norfolk. Several boats containing experienced whalers pursued it, and finally drove it ashore near the township. It was not a black whale, but a fin-back, 90ft in length. This was the more remarkable as fin-backs were rarely met with near the Derwent. Another whale was taken lower down the river near Hobart Town. This one was little more than a calf, but it yielded about 4 tons of oil, worth about £100. The rivers and bays of the island at the time were said to be full of whales.

Application had often been made for permission to ship spirits free of duty on colonial whaling and sealing ships, not for trading purposes but for use of the crews, it was urged. In 1825, Lieutenant-Governor Arthur allowed these vessels to take

H.T.G.
25-3-26.

spirits to the extent of two gallons per month for each man, but he specified that such spirits must be the product of Van Diemen's Land. (At the time there was a distillery in Hobart Town and another in Launceston). His decision brought evils in its train. The rum was bartered in the Straits for skins, as many as twelve skins often being obtained for each gallon. By going without rum for a month, each member of a crew could obtain up to twenty four skins, a profitable form of self-denial when some skins could be disposed of for as much as twenty seven shillings each. It thus happened that the sealing gangs were never short of spirits.

In 1825 an event occurred which, though trivial in its beginnings, led to much subsequent discussion, and is particularly interesting to us in that it helps to throw considerable light on the conditions existing at the time in Bass Strait. The occurrence alluded to was the departure from the Derwent of the brig *Caledonia* with a prisoner named Holland concealed on board. Holland afterwards stated that he was driven to this act by the folly of his wife.

After reaching the Straits the "*Caledonia*" remained there for many months, being lengthened and altered from a brig to a schooner of twice her former tonnage. Early in 1826

Captain Whyte in the brig "*Duke of York*", belonging to the Derwent marine establishment, chanced to put in at Preservation Is., where he found the "*Caledonia*" at anchor. He found not only Holland but several other runaway convicts on board. The circumstances were suspicious. Captain Whyte believed that preparations were being made to take the runaways to some part of the world where they would be beyond recapture. Accordingly he seized the schooner and took the prisoners, and Captain Smith as well, on board his own vessel. At the time he had run short of provisions and he had no hesitation in using those belonging to the "*Caledonia*", the rum in particular being used lavishly.

H.T.G.
25-3-26.

The "*Caledonia*" was sent on to Hobart Town and the "*Duke of York*" followed about a month later. On the way to the Derwent the "*Duke of York*" ran aground at Maria Island. Captain Whyte threw out ballast and sent three of the men he had apprehended to assist in towing her off. They were in a small boat under the charge of the helmsman of the "*Duke of York*". However they throw him overboard and made a successful escape back to the Straits. The helmsman was able to swim and was fortunate enough to be rescued.

Arthur
Papers
V. 43.
No. 261.

After reaching Hobart Town, Smith instituted proceedings against the Government for illegal arrest and for illegal seizure of his vessel. A court of inquiry was set up and much evidence was dealt with. The court consisted of Lieutenant-Colonel Balfour, Rolla c'Ferrall, Naval Officer, and J. Welsh, Superintendent of Government Vessels, a man well acquainted with the Islands of Bass Strait. The evidence given was illuminating in regard to the conditions in the Islands, and the court was able to make valuable suggestions for remedying the evils existing there.

H.T.G.
I-7-26.

In regard to the trial, it was found that Captain Whyte had acted imprudently, and there was not sufficient evidence to convict Smith, who received back his vessel and was compensated for loss sustained through the seizure. Captain Whyte was censured and said to be unfit for such an important command. The whole circumstances probably preyed on his mind, for while on his way to Port Dalrymple to see his family, he committed suicide in a hut near Bagdad.

As has been said, the Court did more than merely examine the particular incident brought before it. A lengthy report on the subject of the sealing trade was sent to the Lieutenant-Governor. Many recommendations were made for bringing the islands under more thorough control and for the better regulation of the sealing industry in general. Upon the subject

Arthur
Papers
V. 43.
No. 261.

of the sealing trade in the Straits", ran the report, "and the constant atrocities there perpetrated with much of the History of which our enquiries, and the written statements before alluded to, have made us acquainted- we have, as already intimated, bestowed great attention;- because we felt convinced that it is one of the most important to the government, and the interests of this colony that could have been brought before us.

The whole of this valuable trade is threatened with a speedy and total annihilation".

Sealing was carried on at all times of the year. The mother seals were killed and the "pups" were left to die of neglect. In fact the young seals were used to decoy the older ones. Pups were carried some distance up the shore, and when the mother seals followed, they were easily slaughtered. The natural consequences of these measures was that seals were steadily declining in the islands. Many left their usual haunts through fear, but the major cause of the decline was the needless sacrifice of the young seals, which, when deprived of the mothers could not survive.

So much for the decline of the most valuable industry. Another feature of Bass Strait was the large number of escaped prisoners there. "The islands, moreover, afford constant shelter and secure retreats for runaways", continued the report. "Almost every rock throughout the Straits has become the habitation of some one or more amongst the most desperate and lawless of mankind. Robberies are frequent, murder, there is every reason to suppose, is not common. The whole of the Straits seem to present one continued scene of violence, plunder, and the commission of every species of crime."

The next portion explained the ways in which so many convicts were able to escape to Bass Strait. The runaways showed considerable ingenuity, and a great deal of vigilance would have been needed to combat their endeavours. Often a ticket-of-leave or a conditional pardon was forged and a convict in this way was able to get past the authorities at the ports. Sometimes the actual holder of a ticket-of-leave or a conditional pardon lent the necessary document to a convict, who then pretended he was at full liberty to leave the town and carried off his personation to successfully that he hoodwinked the naval officer. At other times the deception lay in the Clearance. Five men might have a certificate of clearance from the port, and when the names were called over five men would appear, but not necessarily the same five who obtained the clearance. It was easy for the convicts to replace some of the men and answer to their names. The deception was simple as the certificate of clearance contained no descriptions of the men whose names were contained in it.

After these men reached the Straits it was easy for them to earn a living, and, when opportunity offered, they escaped to Java, New Zealand, or even more distant countries.

The report gives the following suggestions as likely to make escape more difficult; 1) Clearances should contain a full description of the persons whose names appear thereon. Tickets-of-leave should be renewed every year and certificates of Conditional Pardon should also be handed in so that the old ones might be cancelled and new ones issued. If this were enforced men would be afraid to lend their certificates as the fraud would certainly be detected if the documents were not quickly returned to their rightful owners.

Another recommendation is very interesting. When Van Diemen's Land was separated from New South Wales in 1825, all the islands of the Straits with the exception of Kangaroo Island were placed under the government of Van Diemen's Land. Unfortunately Kangaroo Island was not included in the commission, and consequently, any measures resorted to against the escapees by

by the Van Diemen's Land government could not extend to that Island/ Thus it came about that the bad characters of the Straits found it convenient to betake themselves to Kangaroo Island as soon as they learned that an expedition was being organised to their old haunts. The obvious remedy was to act in common with the government of New South Wales.

In regard to the seals, the report gives the following observations:- Popping time among the seals began about October and continued until the end of the year. If the mother seals were killed during that time the young had little chance of surviving. It was desirable to restrict all sealing or trading for sealskins to five or six weeks at the end of each year. The pups arrived at maturity about June, but it had been the practice to commence killing them as early as April. The Court even suggested suitable dates for opening and closing the season. The first season might be from June 10 to August 20, and the other season from November 25 to January 10. It would be beneficial to the industry if sealing in summer were forbidden until after the New Year, but that seemed scarcely practicable. It would be necessary to enforce any regulations with great strictness. Skins taken at improper times should be seized by the Crown and heavy penalties inflicted for the offence. No vessel should be allowed to leave for the sealing grounds more than ten days before the opening of the season, and each boat should be compelled to take out a licence. Legislation would be necessary to carry the recommendation into effect, but in the meantime a small well-armed vessel should be despatched to Bass Strait to clear the islands of dangerous characters.

The report ended here, but one of the members, J. Welsh, Superintendent of Government Vessels, added some suggestions which his familiarity with the Straits entitled him to make. He believed that the best way of bringing the Islands under proper control was to establish a penal settlement on Cape Barren Island, with a force consisting of eighteen or twenty soldiers, assisted by a small armed vessel. Curiously enough, he suggested for the settlement proposed forty or fifty of the most depraved convicts of Van Diemen's Land.

Unfortunately the necessary legislation was entirely neglected. I have found no reference to any such legislation in the Acts of Council, in the Gazettes, or in the summary of the Acts given in the Almanacs. It will be remembered that Gov. King had seen the necessity for limiting the time at which seals might be taken. Nothing of a permanent nature had been effected, then, and History probably repeated itself in 1826.

Emerging from the mass of official correspondence is a curious old man named James Munro, who lived at Preservation Island with several black women whom he employed in cultivating his garden. Preservation Is. was much frequented by sealers and traders and Munro had many opportunities to detect which of these were escaped convicts. From this man the Government was able to obtain much information. His testimony, and that of other men well-acquainted with the Straits amply justifies the opinions which the Court of Enquiry entertained. A few examples will illustrate the terrible lawlessness of the seal islands. Five convicts, assisted by the chief mate of the schooner, "Sally", stole a boat from Hobart Town and fled to Bass Strait. They made a descent on Preservation Is., robbed Munro of a large quantity of his stores and stripped him of his clothes. From their conversation Munro learnt that fourteen other convicts had planned to seize a boat in the Derwent and make for the Straits, with the express purpose of piratically seizing a schooner lying there. In that particular case their plans were frustrated, as the vessel they designed to capture was the "Caledonia" whose fate we already know.

Information was also lodged by Captain Laughton of the cutter, "Ellen", who reached Bass Strait at the end of 1825. One of his crew deserted with a boat belonging to the "Ellen" and joined a party of escaped convicts. Their plan was to capture

the "Ellen", but fortunately for Captain Laughton, they ran the boat on a sandbank and the captain was able to retake her after a sharp skirmish in which he exposed the cutter to danger by anchoring her near the sandbank. Laughton also gave information about escapees at Western Port, who had in their possession a half a barrel of gunpowder, two-hundred-weight of lead, four fowling pieces, two muskets and a jolly-boat. They also had plenty of clothes and provisions. Such men were in a position to seize a vessel sailing through the Strait and make their escape in her. In regard to Western Port, Phillip Island, at the entrance was said to be swarming with seals, Grant's Rock alone, at the western end of the island, yielding a thousand skins annually.

An article in the Hobart Town Gazette of September 1826 gives some idea of the methods employed in taking the fur seal. It is worth giving in full:-

"The importance of this animal must excuse our frequent remarks upon it. This, like all other congregating creatures, is never without its watchman, or advanced guard to look out and warn the rest of danger. A single seal is usually thus sent forward to see that all is safe, and the unthinking men in the piratical boats in the Straits at the improper season heedlessly attack it, and thus disturb and terrify the whole tribe from its wonted abode. In the season they will often consist of from five to ten hundred. When they are discovered on the beach by the boatmen, the first attempt is to separate them from all access to the sea, and to drive them out of sight of it, which is easily done as they see but indistinctly. Four or five men then surround them and crowd them to a centre and one or two go into the throng with their clubs and a scene of slaughter ensues. Sometimes, however, a huge boast, running full butt against his enemy, knocks him down, where he is obliged to lie prostrate on the ground until the whole have passed over his body and made their escape to the deep."

The sealers in the Straits were able to obtain food without much difficulty, even if vessels failed to bring them supplies. They lived on the mutton bird, the emu, the wombat, and the kangaroo. The following is an early description of the mutton bird:-

"The bird on which sealers chiefly subsist is of a dark brown colour, clothed with down, has a hooked bill, and is of the size of a half-grown duck, web-footed with a small spur on the heel. From May till September they continue at sea, at the end of which period they settle on such islands as are of a sandy and soft soil, where they dig holes from three to four feet deep, in which they deposit their eggs. They continue rearing and breeding till April, either the male or female constantly going out to sea before sunrise and returning at dusk with food for its young. It consists of a species of shrimp but oftener of a green oily substance. The sealers knock the birds down with sticks on their return to their holes at night. They have the flavour of coarse mutton, with oily fat adhering to the skin like that of a goose. In May both old and young betake themselves to sea until September following, but the sealers usually salt down sufficient to subsist on during their absence."

In the Hobart Town Almanac for 1829 appears this notice:-

DERWENT WHALING CLUB 1826.

Members

James Kelly
William Wilson
Walter Angus Bethune
Charles Rose Nairne.

A prize of eight dollars is given to the first person who gives information of a whale being in the river. The profits of this club are divided into seven shares, five are shared by the members, one to charitable purposes, and one to the native youth who displays the greatest expertness as headsman.

The inhabitants of Van Diemen's Land did not engage in the sperm fishery until comparatively late in the century. The black whale, which abounded near their own shores, kept them busy in the winter, and there was no inducement to go north after the sperm whale. In the summer the sperm whale was close-frequenting the sea between Van Diemen's Land and New Zealand but at that season the men of the port and of the Tamar had wealth offering still nearer in the guise of Bass Strait seals. To these reasons must be added that unfortunate lack of capital to which Governor Arthur alluded in his despatch to Earl Bathurst. Nevertheless, it was only a matter of time before the colonists would be forced to venture further afield, as the black whale began to leave the bays where it was so harried. John Daxon commented on this in 1839, when he published

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The colonists were labouring under great difficulties. It will be remembered that good crops for whale oil had to be procured from England, and if the supply failed, it amounted to a catastrophe. This is what happened in 1827. Several of Hobart Town's most successful whalers had to leave off in the height of the season because ships did not arrive with their necessary cargo. It was reckoned that the amount of oil obtained would have been doubled if the cargo had arrived two months earlier. Nevertheless, the chronicle of the Hobart Town Gazette is by no means depressed and states that even as things were a large quantity of oil was obtained. He even looks forward to the time when boats belonging to Hobart Town will venture further afield in quest of sperm whale, "without

denied the grand prospect and stay of these southern colonies."

the government among the seals steadily depleted them. In a report to Earl Bathurst in 1827, Lieut-Gov. Arthur attributed the decline to the causes which have been mentioned and concludes by saying, "Many of the rocks and islands which once afforded a rich annual harvest are now entirely deserted." In the same despatch he laments that the whale fishery is not proving such a source of wealth to the island as it should. This is not due to any fault of the inhabitants but to the lack of capital to devote to the enterprise.

The following prices were realised in London in 1826:-

It will be noticed that James Kelly was the leading member of the club or company, as it appears to have been. Kelly had continued to be interested in whaling though he had settled down to the less adventurous life of harbour master. He owned the "Austrian", a schooner which was very successful in killing black whales. Another noticeable feature of the "club" is the definite attempt to encourage native born youths to become expert headsmen during the season of 1826, the whale fishery was carried on at Bruny Island, a little south of Adventure Bay, where considerable success was achieved, seven fine whales being captured, James Kelly owned a station there.

H.F.C.
I-9-27.

H.R.A.
S. 3.
V. 5.
P. 700.

H.F.C.
I-2-8-26.

"The Conditions and Capabilities of Van Diemen's Land, as a place of Emigration, being the practical experience of nearly Ten Year's Residence in the Colony.":-
 "The whale, too, that at one time was so attached to the coast, seems now to be deserting it; for, year after year, the whaler has to seek it at a greater distance."

Thus the decline of the black whale, the gradual extinction of the fur seal, the low price of black whale oil, and the growth of capital in the island, all contributed to the development of the sperm whale industry as operated from the ports of Van Diemen's Land.

The three settlements which were made at the beginning of the century were connected in a very definite manner with the sealing industry. Three more settlements were made when another quarter of a century had elapsed. One of these settlements was made by Captain Wright at Western Port, a favourite haunt of sealers, as has already been mentioned. The other settlement which concerns us-- that of Major Lockyer at Albany--was also intimately connected with the sealing industry, as an extract from the founder's journal will show:-

"Wednesday, January, 1827:-

"From the lawless manner in which these Sealers are ranging about requires some immediate measures to control them, as, from what we know, as also from what I have learnt from themselves, they are a complete set of Pirates going from Island to Island along the southern coast from Rottneest Island to Bass's Strait in open Whale Boats, having their chief resort or Den at Kangaroo Island, making occasional descents on the mainland and carry off by force native women, and when they are resisted make use of Fire arms which they are provided with. Among themselves they rob each other, the weak being obliged to give way to the stronger; at Kangaroo Island a great scene of villainy is going on, where, to use their own words, there are a great number of many graves, a number of desperate Characters, Runaway Prisoners from Sydney and Van Diemen's Land.

In 1828 the whale fishery was pursued vigorously. Messrs. Walford & Young began operations with two new ~~xxxxxx~~ boats which had been built at the Derwent. Unfortunately black whale oil was again low in price. In London it had fallen far below its usual figure. The average price there for the last ten years had been from £35 to £40, but in 1827 it fetched no more than £22 per tun. The optimist who supplied these figures to the Hobart Town Courier looked forward to the time when, owing to the low price, the gas companies would use oil instead of coal.

The colonists were now able to ship their oil to the London market as the prohibitive duties had now been reduced. Oil which had been obtained in British ships and imported in British ships had to pay only 1/- duty on each tun. The price obtained depended to a large extent on the colour of the oil, if sediment were allowed to settle at the bottom of the boiler during the trying-out process, it quickly burnt, thus rendering the oil black. At first the colonists were not as expert in boiling oil as the English whalers who were able to keep the sediment from the bottom of the boiler by constantly stirring it with a pole, to which a chain about 20" long had been attached.

The duty payable in England on sealskins at the same time was only 3d. each, not by any means exorbitant when skins were bringing about 25/- apiece, and in fact, some extra fine skins brought as much as 51/2d. in 1829. Some sealers, in order to make the skins appear bigger than they really were, used to "beam" or stretch them. However this was instantly detected by experienced buyers.

In 1828, a new departure was made at the Derwent. In that Edward Lord's brig, "Caroline", fitted out for the sperm

Courier
-4-28.

Arthur
Papers
V. 97.
P. 54
S. 99

H.T.G.
9-12-29.

H.T.Cal.
1829 .

H.T.C.
3-5-29.
Col.Times
5-12-29.

fishery and sailed on December 29 under the command of Captain Smith. The black whale season of 1829 commenced unusually early, and as early as May ten whales had been taken in the Derwent. In this year five different establishments, all belonging to inhabitants of the island, were actively at work. Operations extended as far as Oyster Bay, and each establishment had from 4 to 5 whale boats. The "Clarence" was very busy, and towards the end of the year, James Kelly and Thomas Lucas bought the schooner, "Netty" (of 90 tons burthen) to further their whaling operations.

When the brig "Caroline" returned from the sperm fishery a peculiar situation arose. By this time a properly established customs office had replaced the old naval office, and Kolla O'Ferral was in charge as Collector. It had become the practice to allow black whale oil to enter the port free of duty provided that it was obtained by colonial vessels in the bays and harbours of Van Diemen's Land. The case of the "Caroline" was peculiar in as much as the sperm whale oil was not obtained within the limits of the colony. This was the first time that sperm oil had been landed in Hobart Town except a few gallons now and then for private use. After much consideration the customs' office decided not to charge any duty, and made the following recommendation:-

Arthur
Papers
S. 97
P.9954.

"For the encouragement of the Fishery, and the advancement of the Colony in the way of its obtaining an excellent Article for Export, we now beg to repeat our urgent recommendation that Sperm Oil of British Fishing may be imported to this Colony free from Duty, Wharfage, or any other Charge."

In 1831 was exhibited in London a panorama painted by the proprietor, R. Burford. It consisted of views of Hobart Town and Van Diemen's Land generally, one view being devoted to the whale fishery of the Derwent. The catalogue in connection with the exhibition is interesting, this being an extract:- "It is no uncommon sight for the inhabitants of Hobart Town to behold the process of taking them, from the moment they are harpooned until they are finally killed by the frequent application of the lance. A company was established in 1826 for whale fishing, and several firms have since been established, but having only a small sloop and a few whale boats, little has been done, and fishing is principally confined to Frederick Hendrick Bay." The company alluded to was no doubt the "Whaling Club" of which James Kelly was the leading member.

Although Hobart Town whaling was carried on by small firms, partners, or individuals, and there were no great concerns with large capital at their disposal, the amount of oil obtained increased in a very satisfactory manner year by year. From 1827 to 1831 the export of oil from Van Diemen's Land to the United Kingdom was as follows:-

	Tons	Hogsheads	Gallons
1827.....	179	2	2
1828.....	196	1	25
1829.....	244	1	6
1830.....	713	0	36
1831.....	848	0	14.

(Extract from V.D.L. Almanac, 1833.)

The same almanac makes these comments on the industry:-

"The equipment of a few boats and the erection of a boiler of two upon shore for rendering down the oil are nearly sufficient as the outfit of what may be considered, with tolerable certainty, a profitable enterprise." That is how most of the early whaling stations must have been carried on.

In 1831, the exports of Van Diemen's Land showed a great increase in value over those of the preceeding year, rising from £170,000 to £200,000 (approx). Foss's Almanac, 1832,

attributes the increase to "the two staple articles of export, Wood and oil, to which great and increased attention, and capital has been devoted."

H.T.C.
26-5-32.

The 1832 season opened favourably, and within a fortnight of the commencement, considerable success has been achieved. By that time Beets & co. had taken three fine whales, the establishments of Mr/Hewitt and of Mr.Young had captured three each, and Mr.Daniel Long's men had two to their credit, making a total of eleven whales killed by four establishments within a fortnight of commencing operations.

H.T.C.
1-6-32.

Whaling was a hazardous occupation, and the newspapers record many instances of loss of life. Though the opening of the season had promised fair to the establishment of Mr.Young, disaster followed less than a week later. The Hobart Town Courier paints a vivid picture of the catastrophe:- "We regret to record a melancholy and fatal accident which occurred to one of our whaling boats on Monday morning, a little after sunrise, off Betsey's Island. Mr.Young, with a crew of five men, had gone in pursuit of a whale, which he succeeded in striking, but which upset the boat, and the second boat which should have followed and been in attendance, in case of accident, having unadvisedly gone after another whale, there was no relief at hand, and four out of the six unfortunately perished. Mr.Young with the other men was providentially rescued from death by a boat belonging to the "Eagle" which came up to their rescue just when exhaustion had gone so far that they could hold out no longer, and after being in the water upwards of four hours. Three of the poor men who were drowned sunk praying for mercy while clinging to the boat, the fourth whose body was picked up it is singular never sunk at all, but lay floating on the water. The body was brought to town, and an inquest was held at the Commercial Tavern before J.H.Moore, Esq. coroner, on Wednesday. It is remarkable that the men who were drowned were all good swimmers, while the man who had been preserved with Mr.Young could not swim. The boat whose duty it was to have followed Mr.Young also upset on the same morning, but happily no lives were lost. It is to be hoped that this unfortunate occurrence will serve as a caution on all future occasions to the second, or relief, boat to be always ready in attendance in case of accidents, and not on any account to be diverted from its important duty, even though another whale might be seen."

H.T.C.
15-6-32.

Here and there in the course of early Australian history we find incidents as vivid and exciting as any which occurred in the old world. The Hobart Town Courier of June 15, 1832, gives us a glimpse of one such happening:-

The American whaler "Milo", which put into Port Jackson to refresh, brought back Mr.Browning, late master of the "Caledonia", colonial schooner, which vessel was pirated from Moreton Bay in the month of December last by eleven of the prisoners there. It appears that they compelled Mr.Browning to navigate the vessel to Rotunah, one of the neighbouring group of Friendly Islands, and subsequently to within five leagues off Tofoa, where the surviving pirates, five having been murdered by their companions, scuttled the vessel and escaped ashore.

H.T.C.
24-5-33.

By 1833, the black whale fishery provided employment for well over 150 men, the principal establishments being those of:-

McLachlan & Young	with 6 boats & 50 men.
Thomas Hewitt & Co	with 3 boats & 30 men.
A.McLeod	with 3 boats & 25 men.
Kelly & Lucas	with 3 boats & 24 men.
T.Petchey	with 3 boats & 21 men.

Whaling stations were also owned by Mortimer, Meredith, Pratt, Long, & Betts & Co.

(It will be remembered that Brady and his gang made a descent on the establishment of Mr. Meredith at Oyster Bay in 1825. In spite of the fact that one of Meredith's men stove in the whale boats, which were lying on the beach, the gang forced the carpenter to make one of them seaworthy; and made their escape in it. It is said that as an additional safeguard they took the carpenter with them, threatening to throw him overboard if the boat showed any signs of leaking. We may be sure that under the circumstances the carpenter was conscientious in carrying out his task).

H.T.C.
6-7-33.

In this year (1833) McLachlan & Young were wonderfully successful, taking 53 whales before the end of July. At the same time Hewitt & Co. had taken 8 whales, Kelly & Lucas 6, McLeod 5, Mortimer 3, Petchey 3, and Meredith 2. There were stations at the following places:- Recherche, Bruny Island, (Adventure Bay and Trumpeter Bay) Oyster Bay, Swanport and the east coast generally. There were also two stations attached to the Tamar, having their headquarters at George Town.

H.T.C.
1-2-32.

By this time the sealing industry had sadly waned. The only wonder is that it flourished so long, considering the methods employed by many of the sealers. In February 1832, two boats arrived from Bass Strait with cargoes of sealskins which were bought by the firm of Kemp & Co., exporters of whale oil and sealskins etc. It was then said that the average amount earned by sealers in the Straits was no more than £15 a year. Yet they could have earned a much greater sum than this if they had made full use of their opportunities, as the Hobart Town Courier remarked:- "Were they more industrious and applied themselves to save the valuable oil of the animals, to cure the mutton birds for sale and exportation, and to dry and preserve the feathers, they might derive an increase in six or eight times the amount."

H.T.C.
25-4-34.

When the whaling season of 1834 began, it was clear that the whaling industry was not going to die out so quickly as the sealing industry. The old establishments were well to the fore. More men and more boats were to be used than formerly. Thus McLachlan & Young fitted out 9 boats employing 72 men (an increase of 3 boats and 22 men over the preceding year.) Hewitt & Co. manned 4 boats with 28 men, and Mortimer & Co 3 boats with 24 men.

In this year an important Whaling Act was proposed. Constant disputes had arisen regarding the ownership of whales which had been struck by harpoons from different boats, and the Act was to lay down definite rules in regard to the matter. Readers of F.T. Bullen's "The Cruise of the 'Cachalot'", (Chapter 14) will remember the confusion resulting from just such a happening. Also there was often much friction between the owners and their men. This was to be overcome by compelling both parties to sign articles, which were to be lodged in the Registrar's office. These proposals fared better than those in regard to the seal fishery. The Whale Fisheries' Act was passed in 1838-9 and received the Royal assent in 1839. It will be referred to hereafter.

Col. Sec.
Papers
14-3-35.
P.16984.

Although the sealing industry was rapidly declining, the old lawlessness was not by any means over. The Van Diemen's Land Company was much troubled by small boats which landed, stole the sheep belonging to the Company, and made off again for the islands. Other vessels put in at Circular Head and traded rum among the Company's servants, producing much riot and disorder.

H.T.C.
9-12-36.

The whaling industry was more progressive than ever in 1836. In that year there were 9 separate establishments attached to Hobart Town, employing 392 men, and at the same time were employed by Griffiths & Co of Launceston. Thus there were at least 442 men directly employed in whaling in Van Diemen's Land, and between them they obtained 2291 tons of oil and 117 tons 6cwt of whale bone. At a moderate computation the value of the oil obtained would not be less than £64,000, and that of the

Panel D.
V. IO.
P. 649.

whale bone, not less than 210,000. Recherche Bay had become a favorite spot for the establishment of whaling stations. There were many parts of the shore which were especially suitable, and a number of applicants requested permission to occupy them. It had been the custom of the government to dispose of such places by public auction. This is clearly shown by Lieut-Gov. Arthur's despatch to Viscount Gederich (Feb. 16, 1832) in connection with Maria Island. In view of the fact that Port Arthur penal station had proved very successful, he had ordered the breaking up of the penal settlement at Maria Island, which was begun in 1825. He goes on to say, "The buildings at Maria Island, together with the land, will be put up for sale by public auction, and as the island is admirably adapted for the whale fishery, and the buildings are well suited for whaling purposes, there is little doubt that they will seal for a sum sufficient to cover the expense of erection."

As Recherche Bay was large enough to accomodate many establishments, a different scheme was formulated. George Frankland was the Surveyor-General, and part of his duty was to allocate the sites for whaling stations. He believed that the government should do all in its power to encourage such a flourishing industry. Sale of land by public auction caused much inconvenience and expenses, and he decided that a nominal rent of 5/- a year for three years would be more to the purpose. It would be necessary to rent the land for at least three years, otherwise it would not pay a tenant to construct building in connection with the pursuit.

Acts of
Council.

In 1836, the Council passed an Act which directly affected Flinders Island. The island was set apart for the reception of the aborigines of Van Diemen's Land, and by the above Act, (6 William IV, No 15) no sealers or other people were allowed to trespass there. Any persons who refused to leave the island when requested to do so were liable to a fine ranging from £5 to £50. If they left the island only to return again, (unless of course bad weather caused them to put back) they were still liable. The Commandant had the power to arrest any offenders and send them under guard to Hobart Town or Launceston. The Act was passed in 1836, and recorded at the Supreme Court in May of the same year.

The unfortunate state of the sealing industry in 1838 is reflected in a letter written to George Frankland, Surveyor-General, to the Colonial Secretary. He writes:-

Co. Sec. Pap.
V. II 9.
No. 3795.
14-II-38.

"You are aware that the numerous islets and rocks surrounding this island, and forming dependencies of the Colonial Government, were so much resorted to by Seals that the skin of these animals formed a lucrative source of wealth, but that in consequence of the reckless and improvident system of destruction followed by the seal hunters, the valuable animal is nearly extirpated from our Neighbourhood. The Seal in the month of November deposits its young on the rocks and leaves the water continually for the purpose of suckling them. So long as they are dependant on the Mother, the "pups", as they are termed, remain perfectly helpless until they are about two monthscold, when they take to the water and can provide for themselves. If the mother is destroyed before that time, they die." He goes on to suggest that laws be passed to remedy as far as possible the evil that has been done. Probably he knew something of the fate of previous proposals as he concluded by saying, "Should the intervention of the law not be deemed advisable, a government Order, enforced by a small cruiser during those months, might secure the same end." Practically the same recommendations had been made by the Court of Enquiry in 1826.

However the day of sealing was practically over. If proper measures had been adopted in the past, sealing might have remained an important industry of this island.

Unfortunately, good resolutions were seldom carried out, and even when anything was done, it was in a half-hearted manner. There was always the recollection of the fate of Captain Whyte to deter Government officials from being over zealous in the performance of their duties. All the seals were not exterminated (in fact some still remain) but the time when fortunes could be made in a season had gone for ever. The state of the seal islands is shown in a letter from the Archdeacon of Launceston in 1850. He said that the islands in Banks Strait were sadly neglected-- eleven families were living there, the fathers being sealers, the mothers black women. At the time there were 36 children old enough for school, but none of them could read or write. The Archdeacon asked for £100 to be placed on the estimates to provide a schoolmaster and a catechist for the children there, but his application was not successful--the mothers, it was said, belonged to New Holland and not to Van Diemen's Land. However, about the same time, it is pleasing to note, the Surveyor-General, in his report to the Government, said that the people of those islands were kind, gentle, and amicable, and he found harmonious relations existing where ever he went. He even took some pride in stating that he found some books in two houses out of the eleven,-- he did not say if they were ever read. Nevertheless this is a pleasant change from the terrible lawlessness which had once characterised these islands.

Dennison
Papers
171.
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Panel D.
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263
-7-38.

Up to the present a good deal has been said on the subject of the misdeeds of the sealing gangs, but very little adverse criticism has been levelled at the men engaged in whaling. Yet very much trouble was caused by the bad conduct of many whalers. In 1833 Lt-Gov. Franklin in a despatch to Earl Grey stated the misconduct of employees engaged in bay whaling often hampered the industry. For that reason he had decided to form a police station at Recherche Bay and to send a Police Magistrate there in the person of Mr. James Smith. The various proprietors had offered to defray the salary of the magistrate, and the Government would incur no expense except that of paying the constables and erecting the necessary buildings. As convict labour would be largely employed on the buildings, the Government's share of the cost would be small, especially if the great benefits derived from whaling were taken into account. At many of the stations constables were maintained by the owners in order to preserve law. This was required particularly when convicts were assigned as servants to work in those establishments. On July 13, 1838, Messrs Kelly & Hewitt, who were then partners, applied for six servants to assist in whaling operations. Their station was at Lagoon Bay, Forestier Peninsula, where they provided salaries and rations for two constables whose duty it was to establish order and protect the fishery. While the Government was willing to assist the owners by assigning servants from the convicts, it could not but realise that the latter had much better opportunities for escape in such places. In this case of Kelly & Hewitt it was decided to assign prisoners provided that the owners entered into bonds not to employ them on the water.

Franklin
Papers
V. 3.
P. 3167.

Free men objected to the presence of assigned servants, believing that convicts would in time deprive them of their livelihood. Near the station owned by Kelly & Hewitt was another one controlled by Doctor Imlay who had begun whaling in Van Diemen's Land in 1837. Previously he had been engaged in whaling at Twofold Bay, N.S.W., and in trading to and from that place. In Van Diemen's Land he had whaling stations at Adventure Bay, Southport, Recherche Bay and Forestier Peninsula, near the Lagoon Bay establishment of Kelly & Hewitt, and had convicts assigned to him for working the land. It was suspected that he was employing these men in the pursuit of whales. Peter Morley, a former servant, made a statement to the effect that he was ordered by Imlay to East Bay Neck where the crews of the whaling boats were all convicts. Some colour is lent to the story by the fact that a petition was sent to Lt-Gov. Franklin complaining of the

same practice. The petition came from the headsmen and boat steersmen working for Kelly & Hewitt at Lagoon Bay. Their chief ground of complaint was that free men would lose their employment if convicts were trained to pursue whales. Another argument was also put forward viz:- competition for whales would be more fierce, and this would endanger life. Convicts would run the greater risk as they were novices and many of them could not even swim. Knowing that the whalers would not be unduly solicitous for the lives and welfare of the convicts, we can read between the lines without any great difficulty.

Dr. Inlay, after much demur, consented to forward a return of the men employed at Forestier Peninsula. It gave the following particulars:-

16 free men; 2 ticket-of-leave men, 8 assigned servants. He had no assigned servants at Adventure Bay, Southport, or Recherche Bay, and those at Forestier Peninsula were no longer employed on the water. Eventually he signed a bond similar to that entered into by Kelly & Hewitt.

A rather unusual case arose about the same time. In Launceston, Benjamin Webb, a transported offender who had gained his ticket-of-leave, was employed as a constable. He happened to be a headsmen of particular ability, and James Henty and Michael Connolly sought him for their whaling station at Portland Bay. They applied for permission to employ him there, and the request occasioned an interesting decision. The question was whether a convict could go outside the territory of Van Diemen's Land and still remain a convict. The Attorney-General and the Solicitor-General decided that the Lt.-Gov. had not the power to let him leave the colony, and permission was refused. However he was allowed to proceed to Schouten Island, which of course was within the territory of Van Diemen's Land, Henty & Connolly signing a bond which guaranteed his reappearance at the end of the whaling season.

In 1839 "An Act To Consolidate And Amend The Laws For The Regulations And Protection Of The Whale Fisheries" was assented to by the Home Government; Some very important provisions were made, though there were many weaknesses, as will be seen later. In the first all agreements between the owners and their men had to be in writing. If a whaler or a seaman signed such an agreement and then failed to join the vessel, or having joined it, neglected his duty, he might be apprehended and brought before a magistrate if the owner or person in charge deposed to the facts on oath. If the offender could give no reasonable excuse the magistrate had it in his power either to fine him or to order him to a house of correction. In any case he forfeited all claim to a share in the profits of the voyage. The fine, in the case of an ordinary seaman was not less than £2 nor more than £20., and, in the case of a headsmen, from £10 to £100. If the magistrate decided to commit the delinquent to a house of correction, the period of detention was specified as 60 days. The Act also provided penalties for those who harboured or who enticed them from their lawful employers for the purpose of employing them themselves. In the case of a seaman, the fine varied from £5 to £50, but for harbouring a headsmen, the penalty was from £10 to £100.

All agreements between owners and their men were to be signed in duplicate before a justice of the peace. One copy was to be lodged in May at the office of the police magistrate nearest to the place where the agreement was signed, and the other copy was to be lodged in June at the office of the police magistrate nearest to the whaling station. If either of these precautions were neglected, a penalty between £5 and £50 was inflicted on the owner.

It has been mentioned before that disputes often arose regarding the ownership of whales which had been struck by harpoons from different boats. The Act made an attempt to solve the difficulties and definite rules were drawn up. Thus if a harpoon struck a whale and remained there with a line attached to both to the harpoon and boat, the whale was immediately to be considered a "fast fish" and the property of the party which first secured it in that fashion. However if the harpoon or the line broke, or became disengaged in any fashion, or if the whaling party lost control of the line the whale was to be considered a "loose fish" and able to become the property of another boat. As attempts were often made to hinder a boat's activities in order to prevent its crew from taking a whale, the Act forbade any whalers to cut or destroy the line which made a whale fast to a rival boat. It also forbade them to hamper the rival boat in any way or to kill a whale which it had made fast. The rules were clear enough though they could not, of course, solve the difficult question regarding which harpoon really did strike the whale first.

The Act provided redress of grievances not only for the owners but for their employees. As whalers were seldom paid a fixed wage, they usually received a "lay", or proportion of the profits made during their term of employment. It sometimes happened that oil or whale bone remained unsold for some time after the season was over and the owners were unwilling to pay their men until they had disposed of the commodities. In future the men would be able to sue for the recovery of "lays" even if the oil and whale bone were unsold. The method of recovering wages was made easy. A whaler had merely to go before a justice of the peace and make a complaint on oath. The J.P. was then able to summon the employer to appear. Whether he came or not, two justices acting together were able to order the full payment of the "lay". If this remained unpaid for more than two days, the goods of the employer could be seized and sold in order to pay the whaler. If the employer were able to prove that he had sustained loss by the negligence or vandalism of the whaler an amount equal to the loss could be deducted from the "lay".

The Act empowered the authorities of His Majesty's Male Orphan School to apprentice boys above the age of thirteen to the whaling industry, provided the consent of the Lt/Gov. was obtained.

All moneys obtained from penalties, forfeitures etc. in connection with the administration of the Act were to be paid into the Treasury, and were to be used for the upkeep of police establishments at Southport and elsewhere, and for the protection of the fisheries generally.

The amount of oil obtained in 1840 was disappointing. The following was considered as accurate estimate of the success achieved:-

H.T.Advertiser 26-II-41.	Brown & Griffiths.....	10 boats.....	280 tuns.
	Young	10 boats.....	160 tuns.
	Seal & Co	6 boats	140 tuns.
	Watson & Garrett	13 boats.....	165 tuns.
	Johnson & Gardner.....	8 boats	135 tuns.
	Lucas	3 boats	26 tuns.
	Morrison & Sherbert.....	3 boats.	9 tuns.
	Fisher & Cambray.....	2 boats....	56 tuns.
	Amity	4 boats.....	40 tuns.

Total 59 boats 1011 tuns.

It is interesting to note that five years previously, in 1836, a total of 2291 tuns had been obtained.

In 1845, a great step forward was taken in a definite attempt to induce vessels to use Van Diemen's Land as a whaling base. Vessels of any nation whatever which put in at the ports of the island for the purpose of refitting were exempted from the payment of port dues and light house dues. If it were necessary to land oil to defray the expenses of refitting, a

p.237. duty of 25 per cent ad valorem was charged.

encl D.
v.55.
p.503-9. The beneficial effects of this exemption were shown in the increased number of vessels which visited the island, many of which spent large sums of money in refitting and in purchasing stores. The average amount spent in 1845 being £300. The Act undoubtedly did immense good. Only two years later, on Good Friday, 1847, there were 37 foreign whalers refitting in Hobart Town, and in 1850, a correspondent of the Hobart Guardian said that a few years previously he had counted in the harbour 13 whalers of one country, and 11 of another. Curiously enough, the Hobart Courier for 1846 contains a number of advertisements which proclaim the advantages of Boyd's Town, Twofold Bay, New South Wales, as a place for refitting or obtaining stores. Whalers could refit there free of all port charges, pilotage, etc., and could obtain stores of every description, oil or whale bone being taken in exchange.

ol.Sec.Pap.
v.194.
C 80.
-I-46. In 1846 the scope of the Act was considerably extended, though in a manner which was mainly due to chance. Captain Lovett the master of a colonial whaling vessel, the "Eamont", entered the port of Hobart Town, after finishing one voyage, landed oil, and took in stores for another voyage. Up till then the remission of port dues was supposed to extend only to those vessels which called at the port in the course of a whaling cruise. As a matter of fact, the Act stated definitely that vessels might not break bulk except so far as was necessary to pay for refitting. Thus, if they were preparing for a new voyage, it was understood that they would pay the usual fees. When Captain Lovett brought the "Eamont" to Hobart Town in 1846, he had completed one voyage and came to take in stores for a new one. Being approached for port dues and light house dues, he refused to pay. The case was tried at the Supreme Court by Mr. Justice Montagu, who gave a verdict in the favour of the defendant, remarking that the scope of the Act could not be confined to those vessels which called at the port on account of necessities during their voyage, but must extend even to those vessels which were fitting out for another cruise. The Chief Justice agreed with the decision, and it was left to the Colonial Secretary, James Bicheno, to decide whether it was worth while demanding a new trial. He received advice from two quarters; the Crown Solicitor thought it would be unwise to apply for another trial since the Chief Justice had declared against the Crown even in the Legislative Council. The opinion of the Acting-Collector of Customs was sought, and he too advised the Colonial Secretary not to apply for a new trial. His letter is a fine example of level-headed thinking. "Considering," however, he writes, "the great importance of the whale fisheries to this Island, placed as it is in the midst of the seas most abounding in fish, the employment it affords to numbers, not only of those who live upon the seas, but to others on shore, forming a mine of wealth, and nourishing a Marine essential to the prosperity and perhaps the existence of the Colony, I believe that sound policy would forego any little advantage that might be derived to the Revenue by enforcing these charges, if, indeed, by relinquishing them the Revenue should not, indirectly, gain more than it would appear to abandon."

If the policy of the island had always been directed by men with the wise outlook of Acting-Collector Proctor, there would have been a different tale to tell.

It was left to Lt-Gov. Fordley Wilmet to decide whether the Act should be amended to the benefit given to all whalers. He decided that it was better to extend the benefit to all, and new legislation was not introduced. From this time whalers of any nation could visit the island and even land their oil without paying any port dues whatever. Of course, in the case of foreign whalers, customs' duties would still be required. Colonial vessels benefited greatly; they could come up to the port freely, land oil when they wished, and prepare for another cruise without being required to pay. If it had not been for Captain Lovett port dues and light house dues would have been exacted at the end of every voyage.

Examiner
8-4-47.

In 1847 Launceston was visited by a whale which was taken near the Cataract George. The Examiner gives a full account of the incident:- "A large fish of the whale species, called by different persons a 'fin-back', a 'bottle-nose', or a 'grampus' was taken near the Cataract on Sunday. The novelty of the sight attracted many to the spot. The monster was not killed until after a chase of two hours. It measures 30 feet in length, and has been exhibited during the last two days at 6d. a head; we believe that the captors have realised something considerable by the strange visitor. It is expected to yield half a ton of oil."

The year 1848 was favourable for whaling, and a large number of vessels visited Hobart Town. It was reckoned that the increase in value of the industry since 1847 was £3,400. The following table gives a good idea of the activities both of colonial and foreign vessels:-

Denison
Papers
83
P.2536.

No. of ships engaged	Loaded.		transhipped.	
	Black Oil.	Sperm oil.	Black oil	sperm oil
Foreign whalers, 26.	39 tuns.	27 tuns.	18 tuns.	83 tuns.
Colonial " 26.	498 tuns.	613 tuns.	18 tuns.	83 tuns.

(Though the above was copied directly from the Denison Papers, the resemblance between the figure seems to suggest some mistake on the part of the clerk L.M.)

H.T.C.
-12-48.

It is interesting to note that whaling in the Antarctic was first suggested about this time. The Hobart Town Courier relates that Lieutenant Smith R.N. who accompanied Sir James Ross to the Antarctic, stated that a better field for whaling lay south of 60 degrees. Two American ships had sailed there before the end of 1848. This should be particularly interesting to the people of Tasmania on account of the most recent developments in whaling.

Denison
Papers
V. 65
No 1567-9.

In 1848 it was decided to break up the convict establishment at Southport. The new arrangements made it necessary to remove the visiting magistrate, and, in consequence, the appointment of another magistrate was necessary in order to preserve law among the whalers. The appointment was given to Mr. Tomlins, "an energetic person well qualified both physically and morally to cope with the difficulty he would have to encounter." It was agreed that the whaling vessels frequenting bays south of D'Entrecasteaux Channel should contribute £150 towards his salary every year, the colonial government adding another £50 as well as providing a house for him and forage for his horse.

ColSec.
Papers
V. II 9.
No 3770.

About 1849 we find frequent complaints from owners of whaling establishments who had grown tired of the ill-behaviour of many of their men. Aspin Morrison, a prominent owner, wrote to James Richens, the Colonial Secretary, to point out some of the weaknesses of the existing laws. By the Act of Council 2 Victoria No. 2, whalers who deserted their ship or refused to work when at sea were punished either by fine or by being confined for 60 days. At the same time they naturally forfeited any lays they had gained. Whalers often offended by hiring themselves to an owner, getting an advance (as was the custom) and then refusing to go with the ship. If they did go to sea, and the cruise promised to be unsuccessful, they would often refuse duty so that the master would be compelled to return to harbour.

Treadwheel.
See note
at end.

In either case no lays would be forfeited. The first offence would be committed before the whalers were entitled to any such proportion, and those who refused duty at sea would do so because they saw no prospect of a lay at the end of the voyage. So, in both cases the punishment was generally 60 days at the treadmill. It was doubtful if 60 days at the wheel was sufficient punishment. Many whalers made light of it, boasting that they could "step it out", and knowing that they could "sign on" for another voyage as soon as the 60 days were over. Of the two offences the second was probably the more serious, as a whole voyage might be ruined after the owner had spent a considerable sum of money

Denison
Papers
V.II9.
No3770.
Col.Sec.

in fitting out his vessel for the cruise. Although there were fewer vessels and men employed in whaling in New South Wales the laws of that colony seemed better adapted to the welfare of the industry than those of Van Diemen's Land. By the Act of 4 Victoria No.17, the punishment inflicted in that colony for insubordination or refusal to work, or for inciting others to commit such offences, was three months' imprisonment with hard labour. In the same colony there were also strict regulations as to giving certificates of discharge. In Van Diemen's Land, on the other hand, no such certificates were required, and an owner who was hiring a whaler had no proper means of finding out what the man's previous conduct had been.

Askin Morrison made several suggestions for remedying these defects in the Act. He suggested that certificates of discharge should be given as in N.S.W. and properly registered at the police office. Another suggestion was that offending whalers should be punished with four months' hard labour, not with a mere 60 days on the treadmill. In order to protect the whalers or seamen he suggested that the concurrence of two magistrates should be required when the more severe punishment was being inflicted.

The Colonial Secretary referred Morrison's letter to William Moriaty, the Port Officer, for his opinion on the subject. These were given and a few other suggestions added. Moriaty agreed with Morrison's remarks, saying that such capital was invested in the whaling venture, and this "should not be left to the roguery and caprice of men who have gone through all the training necessary for graduating in the one, or who, with regard to the second, from want of education or temperament, seldom reason on any act they perform." He also agreed that the punishment being meted out to offenders was not sufficient, but he went a step further than Morrison, and recommended a punishment up to 2 years' hard labour on the roads in the case of a ringleader. In regard to certificates of discharge he said that once these were instituted, owners who hired men without certificates should be fined. If certificates were rendered necessary in this manner, men would be careful to maintain a clean record.

Mr. Tomlins who was the Assistant Police Magistrate at Southport, and naturally was well acquainted with the weaknesses of existing legislation in regard to whalers, wrote several letters to the Colonial Secretary, pointing out the defects and suggesting remedies. His communications give a very good idea of the relationship between owners of vessels and their men. In one case which he mentioned a ship put into Recherche Bay for repairs, but while the vessel was there, the carpenter refused to work. His motive was obvious- the ship had already been out five or six months, with little or no success, and the man was faced with another seven or eight months' work on board with little prospect of a good lay at the end of his engagement. On the other hand, if he refused to work, he would be sentenced to 60 days on the treadwheel in Hobart Town. He preferred the 60 days knowing he could "step it out" with the best of them. The man's action caused the master much worry. If he sent a whale boat to Hobart Town for another carpenter, there was the danger that his crew would abscond, and even if they came back with the carpenter the loss of time would be a serious matter. As it happened, the master was fortunate enough to be able to borrow a carpenter from another ship, but the scheme of his own carpenter came very close to success. He had overlooked just one point- he happened to be a ticket-of-leave man, and the Assistant Police Magistrate Tomlins tried him under convict law. Consequently he was awarded hard labour instead of the 60 days on the treadwheel he had coveted.

The law was unsatisfactory in several other ways. If a man absconded, he could be arrested only after the master (or person in charge) had deposed to the facts on oath before a magistrate. Sometimes men absconded from Recherche Bay and journeyed to Southport. If the master concerned were not able to find the magistrate there and testify on oath that the men were

runaways, they could appear openly in Southport; they could walk in front of the constables, not one of whom might lay a hand on them though there was not the slightest doubt that they were absconders. It was possible for this to happen more frequently than might be supposed. Very often a master might not choose to risk leaving his vessel, especially if the crew were inclined to be mutinous.

It sometimes happened that a master brought a number of insubordinate seamen to Southport so that he might lay a complaint about them before the magistrate. If the magistrate were away visiting another station, it was the custom to hand them over to the constables at Southport. This was done so that the master would not have to take the men back to the vessel and return with them to Southport at a future time. Such a detention was quite illegal, but the masters generally preferred risking an action for illegal imprisonment to carrying the men backwards and forwards with them.

That the complaints of the masters were not overlooked is shown by the following example. In December 1851 ten seamen signed articles and joined the "Lady Emma" for a whaling cruise. The master was not able to take charge of the vessel and it sailed under the command of the mate, much to the disgust of the men. When the vessel was at sea and no whale was sighted, the men grew obstinate and refused to work. As neither threats nor entreaties were of any avail, the mate was forced to abandon the cruise and return to Hobart Town, where the offenders were given into custody and charged with refusing to work. On February 2, each of the men was fined £20. As this was a sum much more than they could pay, they received six months imprisonment in the Hobart Town Goal. At the end of two months they had repented of their action, and petitioned the lieutenant-governor for release, but his Excellency refused to interfere in the matter. Some days later the master of the barque "Victoria" added another plea for the release of the men, not from any philanthropic motive, but because he had been unable to secure seamen for a voyage to Singapore. In spite of the petition the men were not released from goal until the full term of their imprisonment had elapsed.

In spite of the disabilities which have been mentioned, whaling continued to prosper, and, as a matter of fact, it was the unsuccessful vessels which had most trouble with its crew. The crews of those vessels which met with good fortunes were not likely to forfeit their lays either by insubordination or by actual absconding.

In 1850 bay whaling was almost a thing of the past. Whales were occasionally taken in the harbours, but generally speaking it was now necessary to fit out a vessel for an extended voyage if any great success were to be met with.

At the termination of this paper it is appropriate to quote the optimistic words of Lieutenant-Governor Dennison: - "The Returns, however, are likely, to increase annually as we by degrees can learn up a body of seamen properly qualified for work they have to perform."

Col. Sec.
Papers
V. 197
No. 7120.

Dennison
Papers
V. 71
. 32
1850.

NOTES.

Treadwheel: The erection of a tread mill and wheel in the Hobart Town Goal was proposed in 1825, when Mr. John Reeve was commissioned to instal the necessary machinery at a cost of one hundred pounds, payable in Spanish dollars at 5/- each, and 250 acres of land in addition. The mill was not considered to be in working order until January, 1828. In its completed state it was capable of holding twenty men at a time. Two pairs of stones for the purpose of grinding wheat were driven by the exertions of the men upon the wheel, the stones making 64 revolutions for every one of the wheel. The first free persons to be sentenced to the treadwheel appear to have been those found guilty to drunkenness and riotous behaviour.

Van Diemen's Land Company: The following extracts are of interest showing why whaling was not undertaken upon an extensive scale upon the North West Coast:

CHARTER OF THE COMPANY. (Incorporated by letters patent November 1, 1825.)

We do further declare and grant that it shall and may be lawful for the said Company, and that the said Company is and shall be established for the purpose of making Loans of Money to any persons or persons engaged in the Whale or Seal Fisheries, upon or in the neighbourhood of Van Diemen's Land and its Dependencies afore-said for the purpose of carrying on such Fisheries; provided that the money which it shall and may be lawful for the said Company to employ or be in advance in making such loans as last aforesaid, shall not any one time exceed in the whole the sum of £20,000 Sterling Money of Great Britain in addition to any sum or sums lent and advanced under the provisions and Regulations herein before contained.

The reason for the above provision in the Charter is seen in the following extract from a letter to Edward Curr, April 15, 1825, from Earl Bathurst:-

"Whaling and sealing are mentioned in your letter as affording a mode in which the Capital of the Company might be invested with advantage to the Colony. The conduct of a whale fishery upon an extensive scale required so much attention and so large an expenditure, and involves so much risk, that I cannot deem it right to sanction the diversion of the Capital of the Company or the time of its Agents into such a channel: but, so far as Whaling and Sealing, undertaken on the account and risk of others, can be promoted by loans of money to be made by the Company, according to the preceding conditions, there will be no objection to that employment of it to an extent not exceeding £20,000."

Thus the V.D.L. Company was prevented from engaging in whaling on its own account, though it appears that, following the recommendation of Earl Bathurst, money was advanced to some of the Company's servants, who began whaling on their own. Not very much money could even have been advanced in this way, and the operations must necessarily have been limited. The following letter from John Kerr, Agent to the V.D.L. Company, to the Col. Sec. shows that there was rather a close connection between the V.D.L. Company and its offshoots.

John Kerr to John Burnell, Col. Sec.

Cottage Green,
Hobart Town,
16th May, 1834.

Sir,

The whaling party at Circular Head are desirous of having

ol. Sec. two or three of the Company's Assigned Servants lent to them
 apers during the Fishing Season. I do not know that the Agent there
 to 287. is at liberty to do this, and shall therefore feel much
 42 obliged by your informing me whether there would be any
 12 objection made to it by the Government. They would not be
 required to leave the Establishment.

I have the honour to remain,

Sir,

Your most obedient servant,

John Ferr.

Visits of vessels to Circular Head.

The following letter shows how the V.D.L. Company was troubled by the visits of sealing and other vessels at Circular Head. It will be noted that a vessel belonging to Griffiths of Launceston put in there in 1834.

Edward Curr to W.L. Smith Esq. Police Magistrate.

Circular Head,
 March 14, 1835.

Sir,

I beg to represent to you with a view to your bringing it under the notice of his Excellency, the Lieutenant-Governor that most serious evils arise from the uncontrolled manner in which sealing boats and small vessels act on this part of the Coast and amongst the Islands.

There have been two instances at Woolnorth of valuable Sheep being carried away from the Island thirty at one time, and twenty at another, under circumstances which render it impossible that it could have been done except by Boats or Vessels not belonging to the Company's Establishment, and when Sealing Boats and small vessels are known to be in that neighbourhood, whilst the flocks of Sheep have been found at the places where the Sealers frequent.

Again, a Vessel, the "William", Wright master, belonging to Mr. Griffiths of Launceston, came to Woolnorth on the 18th Dec. last year for repairs, having sustained damage by a recent accident. I was there and ordered such repairs as were needed but no sooner had I quitted that place on my return to Circular Head, accompanied by the Superintendent, when nearly every man on the grounds was made drunk by spirits procured from the vessel.

ol. Sec. On the 8th. inst. as you are aware the same vessel
 apersv came here under pretext of obtaining a supply of water, but in
 6927 to reality there is little doubt to leave a supply of Spirits, but
 6949. which you were so fortunate as to prevent being landed in one
 16948. instance at the least, though it is quite probable that it may
 be in other instances yet unknown to us to have been effected. They lay here several days and took away two people living here, one the wife of an indentured servant, whom you have just committed to Goal for retailing wine, and who having now got his wife away is likely on leaving Goal to abscond from the Colony; the other, a man of known bad Character, just become free of his Indentures, who shipped in the vessel a very large quantity of property which it was morally impossible he could have come honestly by, and while he knew would not be received in the Company's Vessel without examination. I expostulated with the master of the Vessel on the impropriety of his conduct. He said that as to the Spirits, they came from his men not from him, and they might do as they liked with their own, and as to all the rest, he had just the same right to lay in the Harbour of Circular Head or Woolnorth as I had, and that he would come there as often as he pleased and take on board whatever was brought to him, in spite of me and the Police Magistrate.

On the 20th, Nov. 1834 the "Mountaineer" of Lanhceston visited this place and in spite of the opposition of the late Police Magistrate and the Constables whom he had set to watch, landed Spirits which produced a great deal of riot and disorder. A few days previously she had visited Woolnorth with the same result.

If such things are to be done with impunity under existing laws, I submit that it is time the laws were altered.

I have the honour to be,

Sir,

Your most obedient servant,

(Signed) Edward Curr.

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